

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, FEBRUARY 8, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Peter O'Hara

George Ford

Bob Boggs

Tony DiStefano

Sara Segal

Sam Berman

Julie Cheever

Julian Hultgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

George Dies

Mark Trigiani

Jerry Anderson

David Sutter

Edward Callanan

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on February 8, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone, to  
2 tonight's Presidio Advisory Board meeting for February  
3 5, 2005. I'd like to welcome the Trust and their  
4 contractors, the National Park Service, our regulatory  
5 community, Presidio community members and members of the  
6 public that may be coming here today.

7 Are there any changes or modifications to  
8 tonight's agenda?

9 I think in -- we may pick up along the way  
10 some things that may not be on here, such as the FOIA  
11 thing that continues along. I have something to report  
12 on that.

13 Nothing of great interest, but any  
14 announcements?

15 All right. Planning committee report. I  
16 think Mark is not going to be here tonight.

17 Is there anyone that might give a synopsis  
18 of the committee meeting?

19 I know in a Jan is furiously looking at  
20 her notes.

21 MS. BLUM: Which I'm not sure I can even  
22 understand.

23 FACILITATOR KERN: Perhaps you could  
24 just -- if you see anything there that --

25 MS. BLUM: Well, we had a visit from a

1 new agency that's working with the Trust in restoration  
2 and they're called -- new to me, anyway, CDM.

3 FACILITATOR KERN: They're a contractor,  
4 yeah.

5 MS. BLUM: Two representatives from CDM  
6 to -- who are -- I would call them in my words -- not  
7 theirs -- Caltrans experts.

8 They have had a lot of experience with  
9 Caltrans and they're very familiar with the TEA grant  
10 process, and our particular project as it relates to the  
11 TEA grant. So they're going to be helping the Trust  
12 write a --

13 FACILITATOR KERN: A project statement.

14 MS. BLUM: A project statement, thank you  
15 very much, and they feel confident that they'll be able  
16 to write the right kind of project statement that will  
17 help us get the money.

18 We're going to pay them \$30,000 for that  
19 report.

20 Okay. Michelle suggested there might be a  
21 transportation bill for cleanup which we might like to  
22 earmark for Mountain Lake, and that is relative, I  
23 think, to the NRDC settlement in Southern California?

24 MS. PASSERO: Actually, that one, there  
25 could be a bond initiative, transportation bond

1 initiative, so maybe there's an opportunity there. If  
2 that surfaces, you know, try to talk to the committee  
3 members.

4 MS. BLUM: Let's see. Baker Beach 1 -- 1  
5 and 2 and all the As are very challenging. It's going  
6 to be a very challenging site, and Brian Ullensvang gave  
7 us a complete report about the scraping of the areas  
8 will be done, how much brush will be removed, the  
9 rerouting of the road.

10 It's probably going to be shocking for  
11 some people who are not looking for that to happen, who  
12 are not aware of that work that's going to be started to  
13 clean that area up, but I thought he did a really  
14 thorough job of alerting us to the road work and -- and  
15 all of the removal and told us pretty much what kind of  
16 signage would be available for drivers which he said  
17 would be sure to notice a change. So it's going to be  
18 quite remarkable.

19 Let's see. Craig told us that he was  
20 going to be keeping us up-to-date quarterly on the  
21 projected cost estimates on the sites, and the project  
22 managers will become more accountable for their  
23 estimates on cleanup and they're asked to explain why  
24 they're on or off their estimates versus real costs as  
25 they come in, so he was pleased to put that into place.

1                   And Alan will be ready to review the  
2   financial format with us in March at the community  
3   meeting.

4                   That's the end.

5                   FACILITATOR KERN:   Thank you.   That was  
6   very detailed.   Very nice.   So we already have an agenda  
7   item down there for March, financial reporting.

8                   Very good.   So I mentioned we're going  
9   to -- I could just say now before we get started on the  
10   full reports that Dave, actually, reminded me to check  
11   on the progress of our FOIA, Freedom of Information Act  
12   request, which has been going on now with the Department  
13   of Interior for a while, and I have called them and I  
14   haven't gotten a message returned.   So not too  
15   thrilling.

16                   Any -- any word from Alan from what you're  
17   hearing?

18                   MR. ULLENSVANG:   I have no update.   They  
19   know that you exist now.

20                   FACILITATOR KERN:   Good.   How nice.   They  
21   know that we exist.

22                   MR. BLUM:   And there was no news on the  
23   mustard gas site, either, Army.

24                   MR. BOGGS:   There has been a little bit  
25   of news, but I think probably George or Craig would be

1 the people to update on that.

2 FACILITATOR KERN: We'll make a note to  
3 ask about that.

4 It seems to me that one of the things that  
5 has come up as a rather urgent issue -- and thank you,  
6 Jan, for --

7 MS. BLUM: You're very welcome.

8 FACILITATOR KERN: -- us to be aware of  
9 has been the Baker Beach 1, tree clearing and things of  
10 that nature.

11 A month ago, Brian talked about that after  
12 everybody left, after a long meeting, and our last  
13 committee meeting, we heard quite a bit about it.

14 For those of you who weren't at the  
15 committee meeting, I thought it might be worth having  
16 that talked about.

17 Would that be covered as part of the  
18 normal --

19 MR. FORD: Yeah. I got a couple of  
20 slides in here.

21 FACILITATOR KERN: All right. Great. So  
22 we'll cover the Baker Beach tree stuff in that.

23 The newsletter article that we didn't get  
24 to has been extended, and so we have another shot at  
25 getting something done by a week or so from now.

1           If there's anyone that would like to join  
2 me in writing something, I would welcome your input.  
3 Otherwise, I will dream up something.

4           Last time I just didn't have a chance and  
5 we sort of forfeited our opportunity, but I think we  
6 will -- within a week we could reasonably get something  
7 put together.

8           All right.

9           MR. BERMAN: I have a --

10          FACILITATOR KERN: Sam.

11          MR. BERMAN: -- question about the  
12 article.

13          FACILITATOR KERN: Yeah.

14          MR. BERMAN: I don't know whether you  
15 thought about -- whether this is a possible point for  
16 the article, but, you know, the development of  
17 alternatives for -- for landfill E is quite an  
18 interesting history, and, you know, you have been so  
19 much part of that, and it might be interesting -- in  
20 view of the fact that the feasibility study is -- is  
21 around the corner -- to talk maybe about the history of  
22 that.

23                 That could take up a whole article and  
24 it's something that really shows the long-term effects  
25 of the RAB and -- and what it could do.

1           So -- and this may be, you know, an  
2 opportunity to -- to tell the history in some sense.

3           FACILITATOR KERN:    Okay.

4           MR. BERMAN:    So since you're the person  
5 that's, you know, been on top of that right from the  
6 very beginning -- and you also volunteered to write the  
7 article -- I'm just feeding you with a thought that  
8 might make it easier to do and something that you might  
9 want to do, anyway.

10          FACILITATOR KERN:    Okay.   Seems like that  
11 would be relatively --

12          MR. O'HARA:    Sam, are you going to give  
13 him a pen to do it?

14          MR. BERMAN:    Pens -- you can't even  
15 sell -- give away a pen anymore.   You know that.   Unless  
16 it's got a laser diode in one end.

17          FACILITATOR KERN:    I guess, then, without  
18 further delay, we'd be ready to begin with our reports  
19 and discussions.   We'll go to George.

20          MR. FORD:    Okay.   Thanks.

21                 Well, we'll -- I'll just go through the  
22 slides and call them out.   If you have any questions, go  
23 ahead and call them out.

24                 There are some projects I know a lot about  
25 and a few projects that I know almost nothing about, so



1 if you ask questions, you'll find out which are which.

2 This is one of Chris' projects, landfill E  
3 focused feasibility study. The document came out in  
4 December. We'll be talking about it later, and the plan  
5 is to release a draft to the agencies that includes a  
6 preferred alternative at the end of March.

7 The small arms firing ranges F/S is out on  
8 the street. The DTSC's approved the Trust plan to  
9 include firing ranges in the PHS sites RAP.

10 Everybody should yell -- if you hear so  
11 many initials and acronyms that you can't stand it, just  
12 go ahead and yell and I can use the actual words.

13 EKI's handling this one, and Chris is also  
14 working on getting some sampling done in the Building  
15 649 basement, which I understand as of about ten days  
16 ago was still a swimming pool. So it's going to take a  
17 little longer to dry out.

18 Another feasibility study for 8 and 10.  
19 The Trust, I guess, has agreed to present updated  
20 conceptual alternatives, the ones that have changed  
21 since last year to the RAB prior to the release to the  
22 documents to the agencies.

23 I hoped to give you an actual date that  
24 the thing was supposed to be mailed, but as Brian  
25 pointed out this afternoon, we had about three different

1 dates working on Trust internal documents, and without  
2 Craig here, I couldn't establish which one was closest  
3 to the truth.

4 FACILITATOR KERN: So this Landfill 8 and  
5 10 has been on our radar screen for quite a long time,  
6 and I'm just -- is there still ongoing discussion or can  
7 you characterize where the project is for us?

8 MR. FORD: It will probably be better if  
9 Brian -- Brian, you're a little closer to it than I am.

10 MR. ULLENSVANG: Yeah. The Trust is  
11 working on the building study right now. So there's  
12 discussion in the document, but it's more how the  
13 document is put together than what the alternatives are.

14 MR. BERMAN: So is there going to be a  
15 date when you're going to present these conceptual  
16 alternatives?

17 MR. FORD: It's a good question. There  
18 has to be one.

19 I am guessing that it would probably be a  
20 topic for next month's RAB meeting about a month from  
21 now, because I think that's early enough. That's before  
22 the document would be released.

23 FACILITATOR KERN: Jan.

24 MS. BLUM: It's my understanding that  
25 there is supposed to be a study, a character study of

1 historical forest, which would affect the mediation of  
2 landfill E that should be completed before we start  
3 working around that area, and I'm wondering, George, if  
4 you know anything about that.

5 MR. FORD: I know that the work has been  
6 done to characterize the historical forest, but I don't  
7 think the report is complete. But it's an interesting  
8 point.

9 I would like to see it finished, as well,  
10 so I will --

11 MS. BLUM: I think it's a crucial --

12 MR. FORD: -- make note of your question  
13 and bring it up to the people who are finishing it.  
14 Because it has been quite a while.

15 MR. BERMAN: Is that being done  
16 internally in the Trust or is there a contractor doing  
17 it?

18 MR. FORD: Internally. And that might be  
19 the problem. You know, if there was a contractor, we  
20 could shout at them. I'm going to scribble a couple of  
21 notes here.

22 Okay. Mountain Lake. URS sent a draft to  
23 the Trust for internal review. I guess we are going to  
24 have them make some changes and then send it to the Park  
25 Service for review and they will come out. For everyone

1 else in March/April.

2 I should point out that thence is one of  
3 my favorite words in the whole world. You don't see it  
4 out in the world by itself.

5 The Mountain Lake TEA grant, Park Service,  
6 DTSC and the Trust are working together on a project  
7 statement that will go to Caltrans, and as Jan  
8 mentioned, the Trust has hired CDM for technical  
9 assistance and we can brief you on the -- no. We  
10 probably couldn't since this is -- I'm sorry. At the  
11 RAB committee meeting. Yes. We could brief you at the  
12 RAB committee meeting, but we can't do it tonight.

13 Is that something that you'd like to put  
14 on the list for the committee meeting?

15 FACILITATOR KERN: Yeah.

16 MR. FORD: Okay. I apologize. My  
17 secretary's pretty slow.

18 Landfill 4 and fillsite 5, the report's  
19 out in the world and we'll get some comments on that  
20 eventually. I think at the moment, it's probably no the  
21 highest priority.

22 Fillsite 6A, the utility relocations have  
23 been going on since I guess just before Christmas. They  
24 are going to be finished momentarily. They've been  
25 doing the water connections and that sort of thing. So

1 it's almost done.

2 We are fixing up the restoration plan,  
3 stream design based on our consultation with RAB members  
4 and the Park Service and we expect to re-release the  
5 plan around the end of this month.

6 So that will be coming out again, and the  
7 waste removal we expect to start in late spring of '05.

8 FACILITATOR KERN: George, can you say  
9 how long you expect that excavation to take once it  
10 starts?

11 MR. FORD: Well, it kind of depends on  
12 the number of tons, but it's -- it will take at least  
13 six to eight weeks.

14 I mean, the fastest it can get done is  
15 about six to eight weeks, and if the tonnage is quite  
16 high, you know, they will -- a good contractor will hit  
17 a maximum in the number of trucks that he can run out in  
18 the day and then it just takes more days to get rid of  
19 it.

20 So, you know, it's possible that it will  
21 go ten to twelve weeks. These things have a way of --  
22 sometimes they take longer than we expect.

23 FACILITATOR KERN: Mary.

24 MS. TRIGIANI: George, is that excavation  
25 area only across from the YMCA or is it east of the Y,

1 as well?

2 MR. FORD: Just across the street. The  
3 buildings that go along Halleck over to Girard.

4 MS. TRIGIANI: Thank you.

5 MR. FORD: Okay.

6 MS. BLUM: George, that cement that  
7 they're digging up, I don't really know what those  
8 buildings are, those buildings on Halleck over to  
9 Vargas, is that the sewer sign?

10 MR. FORD: They're relocating sanitary  
11 sewers, water lines, storm sewers and I think there's  
12 some underground electric lines there. Pretty much that  
13 site had everything. Everything that you can think of,  
14 that site had one or two of them.

15 So we're glad to have the utility  
16 relocation out of the way so that that won't -- since  
17 it's out of the way, it won't slow us down once we start  
18 hauling the dirt.

19 FACILITATOR KERN: This may not be your  
20 area, but it seems like fillsite 6 is another good  
21 candidate to be tracking costs with this new cost  
22 tracking set up that we have with Alan.

23 I'm just wondering now that we're  
24 incurring these utility relocation expenses, if that's  
25 all going into the system and --

1           MR. FORD:   It is going into the system.  
2   We haven't actually gotten that many bills from the  
3   contractor yet.

4           So, you know, the -- the system for that  
5   project is not full of data at this point, but -- but it  
6   is being put into the system.

7           I think we've only gotten two invoices  
8   from them so far.

9           Baker Beach 3 and 4, if you've been out  
10   there, you know that they aren't there anymore. Baker  
11   Beach 3 in particular is a big sand -- sandy valley, and  
12   the Park Service has started replanting native plants  
13   out there and the Trust is winding -- and the Trust  
14   contractor. They're pretty much finished.

15          I think the only major chore that is left  
16   to be done is the reconstruction of Battery Crosby Road,  
17   and I don't know the precise schedule on that, but I  
18   expect it would be fairly soon.

19          So there was a lot of -- a lot of bad dirt  
20   out there, but it's all gone now.

21          And that's what it looks like. There are  
22   three people down there in the valley for scale. I  
23   don't think it's going to look like that very long if --  
24   you know, if you've seen fillsite 5 recently, in a year  
25   to a year and a half, a remarkable amount of vegetation

1 has become established out there, so I'm expecting  
2 that -- that you'll see a similar advance of vegetation  
3 here.

4 So in another year or so, I'll bet a lot  
5 of it will be green.

6 FACILITATOR KERN: Sorry to interrupt.  
7 Do you know if there are -- the work for the  
8 revegetation like at fillsite 5, if there might be  
9 opportunities for RAB members to participate in some of  
10 the outplanting there?

11 MR. FORD: I hate to punt all the  
12 questions back to Brian, but I think that's probably  
13 another Brian question.

14 MR. ULLENSVANG: Yes. There definitely  
15 are. Lew's here.

16 MR. STRINGER: The next day that's  
17 available is Saturday -- what's the date? Not this  
18 upcoming Saturday, but the week after, Saturday the --

19 MR. ULLENSVANG: 19th.

20 MR. STRINGER: At our regular Presidio  
21 park stewards program which meets at the Baker Beach  
22 field office normally or you can just come to the top of  
23 Lincoln and we will be planting on that day.

24 I will not be there, but there will be  
25 other people there that day.



1 FACILITATOR KERN: But you're going to be  
2 planting at the site.

3 MR. STRINGER: We'll be planting at that  
4 site, yeah.

5 MS. BLUM: This is the nine to twelve  
6 program.

7 MR. STRINGER: This is the nine to twelve  
8 program, yeah.

9 MR. ULLENSVANG: If people can't make it  
10 on the 19th, there will be other opportunities, too.

11 MR. STRINGER: During the week on  
12 Wednesdays, and if you would like to find out when, you  
13 can ask me and I can give you the dates. I don't have  
14 them in my mind.

15 FACILITATOR KERN: Awesome. Thanks.

16 MR. STRINGER: Sure.

17 MR. FORD: Baker Beach 1, 1A, 2 and 2A.  
18 Boy, do I get tired of saying all of those. It's a good  
19 project, but the name is kind of long.

20 This project is moving along. The -- we  
21 are revising some geotech and cultural resource field  
22 sampling plans. We spent them to DTSC about -- I don't  
23 know -- ten days ago, and about a week ago, they gave us  
24 comments on most of them, so we're -- that was quick  
25 turnaround and were's going back and making some

1 significant changes to the geotech field sampling plan,  
2 but we hope to turn that back around and resubmit it to  
3 DTSC before the end of this month.

4 And then if they approve it, we will go  
5 out and do a geotechnical and cultural field  
6 investigation at the site, which if you go by there,  
7 once we're doing that, it will be fairly visible.

8 There will be some machinery around and  
9 kind of some visible things happening up on the tops of  
10 the bluffs.

11 The brush and tree removal for the  
12 cultural resource investigation is scheduled to start  
13 next Monday, and that will be an acre or two of brush  
14 clearing on the tops of and adjacent to some of the  
15 existing batteries and historic earth works, and the  
16 goal there is to -- most of these areas are so  
17 completely overgrown with heavy brush that the  
18 archeologists can't even see what the land forms are.

19 So they can't differentiate between  
20 historic earth works that are part of the batteries and  
21 just waste fill that's been dumped all over the place.

22 So the clearing is one of the first steps  
23 in trying to resolve what's what and, you know, what's  
24 waste that we need to get rid of and what is historic  
25 earth work that we need to preserve.

1           And as part of that, also you've heard  
2 about the relocation of Merchant Grove that we are  
3 working on. It's a cooperative project the way it's  
4 shaking out between the Trust, the Park Service and the  
5 bridge district.

6           The Bridge District was planning some  
7 improvements to Merchant Road. The Trust and the Park  
8 Service are planning to realign it because particularly  
9 a realignment can provide great benefits to the  
10 remediation project.

11           It basically makes a number of very  
12 difficult access problems and pedestrian and vehicle  
13 management problems go away.

14           So we think it's going to be a good move  
15 for the project, and we've been pushing it along on an  
16 accelerated basis through the winter and now we've  
17 gotten to the point where we're starting to argue about  
18 money. In project speak, that means we're really close  
19 to getting it going.

20           So -- but it will, I think, take a little  
21 more time to kind of work out some of the administrative  
22 details before we start.

23           We -- I imagine you know that we have  
24 decided to split the project into two phases. Phase I  
25 will essentially be removing all the waste that's on the

1 top of the bluffs, the easily accessible stuff, and that  
2 would be done in the fall -- late summer and fall of  
3 this year, and Phase II would be the -- getting the  
4 waste off of the cliff faces, and that is scheduled to  
5 happen in 2006.

6 Doug.

7 FACILITATOR KERN: With the -- we've been  
8 kind of prepared for this bunch of trees where the road  
9 is going to go through in a different place to come  
10 down.

11 Should we be expecting that like in the  
12 next week? When did you -- do you --

13 MR. FORD: Not in the next week. The  
14 brush removal that's over -- which is all on the west  
15 side of Merchant will start next Monday. I'd be  
16 surprised if anything holds that up.

17 As far as the tree removals go, you know,  
18 our goal -- we're trying to -- we want to get that done  
19 in February, and I hope that we'll be able to, but  
20 there's a few I's that have to be dotted and T's that  
21 have to be crossed administratively before we can do it.

22 So, you know, I was probably -- the  
23 chances of the trees being removed in the next week are  
24 essentially zero.

25 In the next two weeks, you know, there's

1 maybe a twenty or thirty percent chance. As you go a  
2 little farther out and we have time to iron out some  
3 agreements, you know, it will happen.

4 MR. ULLENSVANG: It's probably worth  
5 noting that we'll look at that in March.

6 MR. FORD: Correct. That's one of the  
7 things that we've been kind of racing bird nesting  
8 season, and this project, I think we're going to be  
9 heavy consumers of the services of bird experts because,  
10 you know, it's habitat every time -- everywhere.

11 FACILITATOR KERN: If you don't get  
12 things done by bird nesting season, what would happen to  
13 this -- could you do the project?

14 MR. FORD: You know, I'll -- I'm not  
15 going to punt this one back to Brian. I'll give an  
16 answer and he can correct me if I've blown it.

17 It depends. The general preference would  
18 be not to remove any trees during the bird nesting  
19 season, so really I -- I don't think that's a blanket  
20 prohibition, so that if we -- you know, if we were going  
21 to have a severe problem -- hardship, it might be  
22 possible to get permission to remove those trees during  
23 the bird nesting season.

24 However, the -- obviously nesting of birds  
25 in or around those trees would shut the whole thing

1 down. So it may -- if birds do not occupy the trees and  
2 we can do the studies to demonstrate that the trees are  
3 free of birds, it might be possible to remove them in  
4 the bird nesting season, but, you know, if we get birds  
5 in the trees, then we stop and we wait and do it  
6 August -- starting August 15th.

7 So did I --

8 MR. ULLENSVANG: Yeah.

9 MR. FORD: -- get that about right?

10 MR. ULLENSVANG: I think if the trees are  
11 large enough, it would be very difficult for these  
12 studies.

13 MR. FORD: Right.

14 MR. ULLENSVANG: So it's unlikely that  
15 that will go forth during bird season, but not  
16 impossible.

17 MR. FORD: I imagine -- well, you ask a  
18 simple question here and you get about a twenty-minute  
19 answer, and we apologize, but it just often is that way.

20 I -- I imagine most of you've seen this  
21 slide before, but if you haven't, this is -- this is  
22 from CaliforniaCoastline.org, which is like the greatest  
23 Website.

24 It has pictures of the entire coastline of  
25 California taken from a helicopter. A guy and his

1 wife -- a retired Silicon Valley executive and he's  
2 retired and he's like 38 years old or something -- made  
3 this his -- this his hobby and he's photographed the  
4 entire coastline from Oregon to the Mexican border, and  
5 the only place they didn't photograph was Vandenberg Air  
6 Force Base where they were not permitted to fly, but  
7 they have these pictures on the Websites, and if you're  
8 interested in anything on the coast, it's really great,

9 I'm using their picture here, but I'm  
10 making sure everybody knows I'm giving them credit.

11 This shows the Baker Beach -- 1A is just  
12 off the picture to the left, but it -- it really shows  
13 most of the Baker Beach sites, so you can see that the  
14 stuff -- the waste that is -- the thin skin of waste  
15 that's up on the top of the bluffs, there are challenges  
16 in getting to that, but the waste that's down under the  
17 green shrubbery way down on the face of the cliff, that  
18 is some very hard stuff to get to.

19 MS. YAROS: What is it? Storage?

20 MR. FORD: I can tell you sort of the  
21 minimum stuff. That's building debris, a lot of  
22 concrete, bricks, wood, rebar, wire rope, sort of the  
23 junk that you get when you demolish a building.

24 We believe that one particular location at  
25 Baker Beach 1, there -- it's possible that there is ash

1 from an incinerator that the Army had on the top of the  
2 bluff. We think they operated the incinerator and  
3 probably just kicked the ash over the edge.

4 That we don't know for sure. We'll kind  
5 of see as we go. It's possible that this area's so  
6 windy that, you know, a typical flying ash, most of it  
7 might have blown away over the years.

8 MS. TRIGIANI: Can you show us exactly  
9 where the beach is? Do you know?

10 MR. FORD: I think I can.

11 Baker Beach 1A is just off the picture  
12 right here, and it's actually a small deposit of roofing  
13 material that was just dosed out of the top of one of  
14 the large batteries.

15 Baker Beach 1 is an irregular lobe of  
16 waste. You can see there's kind of a bowl here. Baker  
17 Beach 1 is in the middle of this bowl.

18 The incinerator used to sit on top of the  
19 bluff here. The incinerators's gone. We think there  
20 could be eight to ten feet of fill sitting at the  
21 incinerator site right on the top of the bluff in here.

22 Baker Beach 2A is a collection of debris  
23 that -- here's another bowl, and it's a collection of  
24 debris in here.

25 Just for location, this is Battery



1 Godfrey, which is the southernmost of the large -- of  
2 the really large coastal batteries.

3 Battery Butell is sort of hidden right  
4 here. This is Battery Marcus Miller, and about another  
5 hundred yards off the picture to the left, you would  
6 have the Golden Gate Bridge District's corporation yard  
7 and the toll plaza complex.

8 And the last one, Baker Beach 2A is  
9 essentially -- there's a collection of waste on the top  
10 of the bluff, although some of it comes down the face of  
11 the bluff right in this area.

12 MS. TRIGIANI: And George, how old are  
13 these landfills? When did they commence?

14 MR. FORD: I think they're roughly the  
15 same age as a lot of other ones, in that we think they  
16 started either in the late 20s or early 30s.

17 They started dumping, and as to when they  
18 stopped, I don't know that you can pick a day and say  
19 that all right. That's the last day they disposed  
20 there.

21 There is -- we know in Baker Beach 3, they  
22 were disposing through the '60s and up into the late  
23 '70s.

24 I think the thinking is that these  
25 landfills are a little older than that, but, you know,

1 it's also quite possible that there was just sort of  
2 free -- freelance dumping there, you know, even into the  
3 '70s.

4 MS. TRIGIANI: But only by the Armed  
5 Services?

6 MR. FORD: I would think so, although,  
7 you know, we do have -- we have midnight dumping on the  
8 Presidio nowadays, so, you know, it's conceivable  
9 that -- that other people have dumped things, although  
10 usually, you know, to back up and dump something over a  
11 cliff like this is a -- that's some pretty scary  
12 dumping.

13 You know, if I were a midnight dumper, I  
14 would do what people do now, which is they go back in  
15 the forest by central magazine or, you know, some  
16 other -- they find a dead end alley and go down and just  
17 dump.

18 Most of -- we find a lot of shrubbery.  
19 It's like the tree, you know, arborists and landscaping  
20 contractors.

21 It seems like a lot of them may end up on  
22 a Friday night with a truck full of brush and they take  
23 it into the Presidio and give it to us. Well, I mean --  
24 you know, it's a fact of life.

25 It's -- we're the size of a small city,

1 and so midnight dumping is an issue I think in any city,  
2 and so we have it here. Most of the stuff that gets  
3 left here is pretty mild, and we occasionally find  
4 business cards or invoices and other stuff in it and we  
5 can track down the people who left it.

6 Okay?

7 MR. BERMAN: George, is it your  
8 impression that those pockets that you show in those  
9 pictures were originally part of the geology of the  
10 coast?

11 So the coast actually didn't have a more  
12 or less smooth appearance as you might think as you go  
13 out further west, because when you go out further west  
14 where there wasn't so much dumping, you don't see those  
15 kind of pockets there.

16 MR. FORD: I'm guessing that those bowls  
17 are --

18 MR. BERMAN: Artificial.

19 MR. FORD: No. I think they're natural.  
20 I think those bowls existed naturally and were just  
21 filled in.

22 MR. BERMAN: So they were magnets for  
23 trash?

24 MR. FORD: Yeah. I guess is, too, that  
25 just a steep cliff, what do they say? To a guy with a

1 hammer, everything starts looking like a nail.

2 If you were a 22-year-old in the Army with  
3 a dump truck full of stuff, where do you want to dump  
4 it? If there were a 300 foot cliff with something to  
5 dump, that's where I'd go.

6 MS. TRIGIANI: Because why?

7 MR. FORD: If you were -- if you're an  
8 8-year-old at heart.

9 MS. TRIGIANI: What a -- RAP to hang on.

10 MR. FORD: I think it's appropriate to  
11 give it to the RAP. We can talk about the deep-seeded  
12 beer cans to dump beer cans in monitoring wells. Air,  
13 water, oxygen, there's one more, to put beer cans in the  
14 monitoring wells.

15 Okay. Brian probably showed you a much  
16 nicer version of this, but this essentially shows an  
17 over -- aerial overview of what's going to go on out  
18 here.

19 Here's Merchant Road coming from the toll  
20 plaza. This is the existing trace of Merchant Road  
21 which comes up to a strange little oblique intersection  
22 here at Lincoln Boulevard kind of at the back corner at  
23 some of the Ford Scott buildings.

24 They would be realigned to a new regularly  
25 square four-way stop intersection where Story meets

1 Lincoln, and so that would be the new entrance to the  
2 Presidio.

3 By doing that, it gets us all of this  
4 space available for a staging area, which essentially  
5 makes a really nasty problem moving equipment and  
6 materials in and out of this area.

7 It simplifies it tremendously, which is  
8 why we think this realignment is a good idea.

9 It shows you 1A, Baker Beach 1A, 1 --  
10 here's the top part of 1 The orange is the Phase I  
11 cleanup and the yellow is the Phase II that will be done  
12 in '06.

13 Here's Baker Beach 2, which is really up  
14 on top of the bluff, and 2A, which is on the face of the  
15 bluff.

16 One of the interesting things is I think  
17 probably seven-eighths of the waste occurs in area 1, 2A  
18 and 2. I'm probably spending half of my time -- I'll  
19 bet Brian's spending over half of his time trying to  
20 figure out what to do with 1A.

21 1A is a relatively small waste deposit,  
22 but it's very hard to get to. It -- it completely --  
23 you're really walled off by historic batteries that it  
24 might be possible to go over, but if you're going to go  
25 over them, they have to be protected.

1           If you're going to haul over land, if you  
2 go north, you have to go under the Golden Gate Bridge,  
3 which presents some potential problems, and if you want  
4 to haul south, you've got to go all the way down here.

5           This footpath is about two feet wide in a  
6 lot of places, come all the way down here, and this is  
7 the first place right here where there's a gap where you  
8 can get between the batteries to get the waste out to  
9 put it into a truck and haul it away.

10           So there is a way to solve that problem.  
11 We just haven't quite settled on it yet. So -- but it's  
12 just sort of interesting that some of the -- sometimes  
13 the smaller parts of a site take more effort to figure  
14 out how you're going to do it.

15           MR. BERMAN:   The distance from the beach  
16 is too great for a crane to come in there and just do  
17 it, take it out?

18           MR. FORD:    By water?

19           MR. BERMAN:   Yeah. You get up right on  
20 the edge of the beach and put an arm up there and scoop  
21 it out.

22           MR. FORD:    Yeah. When we started the  
23 project, we were initially looking at water  
24 alternatives, and we do a bathymetric survey along the  
25 beach and what we found that you can't -- it's a

1 difficult place to land a barge because it faces the  
2 open ocean.

3           You know, most of it is sort of a west-  
4 northeast exposure, and it's a little -- you know, it's  
5 a mile in from Mile Rock, but it still has a pretty  
6 direct eastern exposure. So you see some fairly good  
7 sized waves.

8           The other problem is that there are rocks  
9 all over the place, and the few places that you can get  
10 a barge in really close to the beach are not close to  
11 where the waste is.

12           So that you would then be looking at a --  
13 you have to figure out some way to move the waste  
14 sideways up and down the beach to get it to a place  
15 where it could be picked up and put on the barge.

16           So after we did that initial evaluation,  
17 we concluded that it just made more sense to take it up  
18 the hill.

19           MR. BERMAN: But couldn't a crane -- I'm  
20 just curious the removal from one -- 1A, that small spot  
21 there. I mean, if you could scoop it and not have your  
22 trucks there, but have your trucks somewhere else where  
23 the scooper can just move it to the trucks, then the  
24 trucks don't have to go in there. The problem is access  
25 for the truck.

1           So -- but if you have something that's on  
2 the beach and not -- it's not a barge anymore because  
3 the stuff is going to go out on the truck. It's just a  
4 less complicated way of dealing with the truck movement  
5 if the trucks don't go in there.

6           MR. FORD:    Yeah. 1A, I don't think  
7 there's a crane in the world that you could reach 1A  
8 from the beach. It's about 250 feet vertically and  
9 probably between 3 and 400 feet horizontally, and  
10 that's -- you know, if a boom can't go below 45 degrees,  
11 you're probably looking at a --

12           MR. BERMAN:   600 feet.

13           MR. FORD:    -- 5 or 600 foot boom, and I  
14 don't think you could get that that big and attach it to  
15 a barge.

16                       We also looked at the idea of trying to  
17 put a crane on the other side to reach over and pick  
18 this stuff up.

19                       That is at least conceivable. The problem  
20 is that your crane would have to sit right in a very --  
21 in an area that is very heavily used by the bridge  
22 district.

23           MR. ANDERSON:   What do you have to reach  
24 over?

25           MR. FORD:    Battery Marcus Miller, which



1 is a 110-year-old concrete battery.

2 MR. O'HARA: What about putting a  
3 conveyor belt?

4 MR. FORD: I think that's what we're  
5 going to do.

6 MR. O'HARA: It seems to me that that  
7 would be the easiest.

8 MR. FORD: Either put a conveyor -- if I  
9 had to bet at the moment, I would say we'll probably use  
10 a temporary conveyor to take the waste over the top of  
11 the battery and dump it into a small truck to haul it  
12 out to a stockpiling area, and that way we can keep the  
13 trucks on the pavement.

14 A conveyor, you're really only -- the  
15 battery's only at risk when you're installing the  
16 conveyor and removing it. You're not going to have a  
17 machine driving over the battery a hundred times a day.

18 MR. O'HARA: Where would the terminus of  
19 the -- where are you proposing the put the terminus of  
20 the conveyor belt?

21 MR. FORD: That one we'd probably just go  
22 straight over the battery, which is a little hard to see  
23 where the battery is, but this gray thing is the  
24 battery.

25 So we'd probably just do a conveyor -- we

1 can get a little space down here. Just bring a conveyor  
2 over and maybe a smooth, dump it down here and then a  
3 truck can either go out this way or even this road  
4 here -- it's called Doman Road -- is actually passable  
5 by a small truck, and so it can be hauled up to the  
6 staging area and then taken out.

7 MR. O'HARA: Makes sense.

8 MR. FORD: But there are a lot of people  
9 who are interested in this. When we talk about driving  
10 trucks along the coastal path, that makes the plant  
11 experts nervous and the historic resource people don't  
12 like it too much, either, because they're worried that  
13 we're going to screw up the historic earth works.

14 When we talk about going over the top of  
15 the battery, you know, the historic resource people are  
16 very concerned about that. They don't want anybody  
17 breaking their 110-year-old batteries.

18 MR. SUTTER: Are you going to solicit  
19 proposals from the contractor how to do it?

20 MR. FORD: Yeah, we are. We think  
21 it's -- you know, it's a complex enough project and  
22 there are -- we have to write a good set of bid  
23 documents because we -- you know, we really got to be  
24 clear about what a contractor can do and what they  
25 cannot do.

1 But that -- we are going to -- I always  
2 like to hold it open for innovation by the contractor.  
3 Because that's really what I'm hoping for here, that  
4 especially with respect to the Phase II work where we're  
5 trying to get that waste up the cliff that, you know, a  
6 contractor may be able to come up with a clever solution  
7 that we haven't thought of.

8 This actually is a picture of the top of  
9 Baker Beach 1. It's a little hard to tell in this  
10 picture, but that's where the incinerator used to sit,  
11 kind of where the green -- green brush is just slightly  
12 to the right of center in the picture.

13 Pretty scenic place to run and operate an  
14 incinerator, and I haven't seen them, but I understand  
15 there's construction photographs of the Golden Gate  
16 Bridge taken in the mid-'30s where you can see smoke  
17 coming up from this incinerator in the background.

18 MS. TRIGIANI: There was one incinerator  
19 or more than one?

20 MR. FORD: I think just one.

21 MR. ULLENSVANG: What we found is there's  
22 likely to have been two, one replaced the other.

23 MR. FORD: Oh.

24 MS. TRIGIANI: But on the same site?

25 MR. ULLENSVANG: The Trust actually had

1 the picture and it was from back in '98.

2 MR. FORD: Can we take bets as to whether  
3 the first incinerator burned up?

4 MR. ULLENSVANG: I think it went over the  
5 hill.

6 MS. TRIGIANI: Wait, wait. Went over the  
7 hill?

8 MR. ULLENSVANG: Down the bluff.

9 MS. TRIGIANI: I'm thinking in the ocean.

10 MR. ULLENSVANG: No.

11 MR. FORD: So when we get that waste off  
12 the hill, we may see the pieces of it.

13 This is actually a picture of Baker Beach  
14 1A. The -- sort of the thicker brush. This view is  
15 taken looking southward, but this thicker brush right  
16 here I think is growing on top of the roofing material,  
17 and you can see it's just a footpath that leads out  
18 there, and on -- off the picture to the left is a  
19 battery, coastal battery that separates the area from  
20 the Bridge District's corporation yard.

21 MS. BLUM: George, do you know if they've  
22 made any decision to permanently widen that path to  
23 fourteen feet or not?

24 MR. FORD: Yeah. The discussion is still  
25 going on, so nobody has decided about that yet. So my

1 vote is to make it a good wide path so that I can run  
2 dump trucks on it, but --

3 MS. BLUM: Exactly.

4 MR. FORD: -- I don't actually get a  
5 vote.

6 This is a view taken looking towards the  
7 east of the area where the Merchant Road relocation  
8 realignment would cut through.

9 The center line of the road would go just  
10 about right through the middle of that white tree trunk  
11 that's in the picture.

12 And this is what it would look like.  
13 That's Story Road. You're looking across Lincoln at  
14 Story Road and where I was standing when I took the  
15 picture is roughly about the center line of where the  
16 new Merchant Road will cut through.

17 Okay. On to less interesting projects.  
18 RAP 3, chapter 18, which includes two non-petroleum  
19 sites located in the commissary area and the CEQA  
20 documentation are scheduled to go to DTSC around the end  
21 of this month, and we're coordinating the commissary PX  
22 CERCLA work with the corrective action plan that's also  
23 being prepared for the commissary PX site.

24 So the idea is between the -- the CERCLA  
25 components that are in RAP 3 and the commissary PX cap,

1 everything at the commissary PX site will be covered.

2 RAP 3 remedial designs. In December, did  
3 some sampling at six sites in area B. The draft designs  
4 are due in March.

5 We're planning to do all fourteen of the  
6 area B sites in RAP 3 in a single procurement package to  
7 try to get some economy of scale with the contractors,  
8 and the cleanup is targeted for late summer and fall of  
9 2005.

10 So we're trying to get this ready to go as  
11 soon as RAP 3 gets signed.

12 MR. BOGGS: Is there going to be a  
13 separate results report for that investigation or is  
14 that just going to be part of the designs?

15 MR. FORD: You know, I don't know. I'll  
16 have to find out.

17 MR. ULLENSVANG: It's one, but it may a  
18 separate report, but it may change.

19 MR. FORD: That would be the way we  
20 normally do it.

21 MR. ULLENSVANG: In a separate report,

22 MR. FORD: But I'll check and find out  
23 for sure.

24 RAP 5, CDM is working on RAP 5. It  
25 includes fillsite 1, landfill 2, El Polin Spring,

1 Battery Wagner, landfill E, Mountain Lake and fillsite  
2 6B. I gather that Craig has been talking with Bob about  
3 adding miscellaneous sites to RAP 5.

4 MS. BLUM: I have some other studies that  
5 may include Landfill 8 and 10, and I think the Trust  
6 owes us not only the historic forest character study,  
7 but we have the rear recovery report and the wind study  
8 report before we detail out any -- and that in my  
9 opinion needs to be done before we can consider any kind  
10 of remediation for these particular areas. Those are  
11 overdue from the Trust.

12 MR. FORD: Okay. I got the rear plan,  
13 monitoring report, the lessingia recovery plan, wind  
14 study.

15 MS. BLUM: Yeah, and the historic forest  
16 character study.

17 MR. FORD: Okay.

18 MR. STRINGER: The wind study and the  
19 lessingia study are both out.

20 MS. BLUM: It's available to the public?

21 MR. FREY: I assume. It should be in the  
22 library.

23 MR. FORD: We can check on that. We can  
24 tell you where it is.

25 MR. FREY: Yeah.

1 MR. FORD: If it's something that's  
2 amenable to do.

3 Okay. I'll find out about those and we'll  
4 have an answer for you by the committee meeting, anyway.

5 MS. BLUM: Thank you, George.

6 MR. FORD: The commissary PX, we've  
7 gotten some draft -- we've got comments on the draft and  
8 we're doing something good with the comments that we got  
9 on the draft and Geometrix is putting all that stuff  
10 together.

11 1065, we're working on a report on the  
12 contingency action. You might recall we took out about  
13 three or four hundred feet -- I think there was a steam  
14 line that had been converted to fuel oil pipeline.

15 It's really annoying when they do that.  
16 And that's coming out next month, and then after that,  
17 MAPTEC will be producing a Draft Corrective Action Plan.

18 I don't have a date for when that's going  
19 to come out, but I will try to find out.

20 Other petroleum, we're working on a Draft  
21 Corrective Action Plan. It's due to the Water Board --  
22 it was due I think at the beginning of this moment.

23 We've asked for an extension, so it will  
24 be submitted on March 2nd, on or about March 2nd to the  
25 Water Board. We're working on getting that ready right



1 now.

2 And Maptec is beginning preparation for  
3 the cap for the 207/231 area. It should be interesting  
4 because it's a complicated site.

5 FACILITATOR KERN: I was going to ask  
6 some questions about both these. It seems that on the  
7 207/231 site, that that is a really complex site and  
8 that if -- and I'm -- it's just my own opinion, but if  
9 the remediation department put out a really good  
10 document pretty fast, you might be able to almost get  
11 that site paid for since there are so many other  
12 projects happening in that area.

13 It just occurs to me that with Doyle  
14 Drive, the marsh expansion, Tennessee Hollow, everything  
15 is happening in there that it would be really -- you  
16 guys are kind of in the driver's seat to make something  
17 really good happen.

18 MR. FORD: Mm-hmm. I hear you and I  
19 think your idea is a good one. I also just know that in  
20 a complex area like that, fast and good are really  
21 hard -- it's hard to have both of those things together.

22 FACILITATOR KERN: Yeah. I can also tell  
23 you that we spent -- I don't know -- something like a  
24 year plus with the Army going through all the  
25 alternatives for that site.

1                   We had this little consensus building  
2 project. We spent a lot of time on that, and so far we  
3 haven't really had much discussion here about what's  
4 being considered for that site, so I'm kind of looking  
5 forward to that discussion.

6                   MR. FORD: Yeah. I don't think there's  
7 been much discussion within the Trust about what's  
8 happening with that.

9                   I think we're kind of just now getting to  
10 that point where we're going to be talking about it and  
11 thinking about it a lot more and -- and you guys will be  
12 involved in that discussion, as well.

13                   I know -- I mean, as I recall, 207/231,  
14 the Army actually did a cap there, didn't they?

15                   FACILITATOR KERN: Oh, yeah.

16                   MR. FORD: Didn't they do a unilateral  
17 cap?

18                   They just went through a process for a  
19 long time and wrote a document that probably could have  
20 been written on day two without consultation?

21                   FACILITATOR KERN: It was very  
22 fascinating with their process, and the contractor  
23 actually went out and submitted the results of this  
24 whole kind consultative process at conventions and other  
25 meetings.

1 MR. FORD: As an example of how not to do  
2 it or an example of how to do it?

3 FACILITATOR KERN: Of all the success  
4 they have, and as you said, they wrote their own  
5 document and it's been on the shelf for something like  
6 ten years or --

7 MR. FORD: Yeah. I had a copy of it at  
8 one point.

9 FACILITATOR KERN: So there's a lot of  
10 history at that site. I think it would be great to have  
11 some discussion here about it. People would really  
12 benefit.

13 On the 1349, I had the impression that  
14 that site was kind of done as well by the Army, sort of  
15 finished off, but I guess there's residual contamination  
16 there.

17 Can you tell us a little bit about --

18 MR. FORD: There's some -- there are some  
19 residual petroleum, some pesticides. I was going to say  
20 there's some metals in groundwater that are probably a  
21 result of the petroleum spill, but that's what we're  
22 trying to work through right now is to figure out what  
23 needs to be done about that.

24 I mean, you know, the soil problems are a  
25 little more amenable to direct correction than

1 groundwater, but --

2 FACILITATOR KERN: And it's a fractured  
3 bedrock area, so you could have things going a long ways  
4 and -- I mean, is it reasonable even to be able to clean  
5 that up since it goes down into the fractures and can be  
6 transported away?

7 MR. FORD: Well, it's -- again, it sort  
8 of depends. Generally speaking, stuff that's in  
9 fracture, anything that's been transported in fracture  
10 at some distance from the site, it's going to be very  
11 hard to get it back.

12 For contaminants that still remain right  
13 in the site area, even though they are fracture bound,  
14 that kind of thing, there's at least a chance you can do  
15 something about.

16 But we're -- we've actually had two drafts  
17 of a 1349 cap and neither one of them has been ready for  
18 release.

19 So now we're working hand in glove with  
20 Brian to -- to try to get the thing ready because we do  
21 not want to ask for a second extension on the time.

22 So it will come out on March 2nd. I can  
23 tell you that.

24 Some people at BB&L may have an awful  
25 couple weekends leading up to that, but it will come out

1 on the 2nd.

2 But we will -- we'll plan on -- I mean,  
3 the 207/231 area -- both of these we can present them to  
4 the RAB. I think the 1349, you know, once we get a  
5 draft cap ready to go, we can present that.

6 I think 207/231, it's early enough in the  
7 process we can do a presentation on that before the cap  
8 comes together so you can see what we're dealing with.

9 MS. BLUM: It would be super helpful if  
10 that presentation -- and this may be asking for a pretty  
11 large presentation -- could be done in perspective with  
12 the Doyle Drive -- Doyle Drive known progress report in  
13 that particular area for construction.

14 Any news that we might have what's going  
15 to happen with Doyle Drive. Instead of just treating  
16 this separate entity, just the remediation site, I feel  
17 strongly will be money for Caltrans digging up the whole  
18 front end of the Presidio to do some kind of work, and I  
19 know we have to clean it up and so on, but I'd like to  
20 kind of get a context on what all is going to go on in  
21 that area if that's available.

22 MR. FORD: Well, what I'd say, getting a  
23 fix on what's happening with Caltrans, and also what's  
24 happening with the marsh study is maybe a little bit  
25 like grabbing a greased pig.

1 I think what we can do is sort of lay out  
2 the -- what we have learned about 207/231 and then --  
3 and set that in the framework of the decision processes  
4 that are going on for the marsh expansion and the  
5 decision process for Doyle Drive, but neither one of  
6 those are at the point where they're producing a  
7 decision yet.

8 MS. BLUM: Okay.

9 MR. FORD: So I think we can -- what --  
10 we'll plan on providing the context, but it is -- you  
11 know, we'll be doing this sort of explaining a process  
12 that we're in the middle of.

13 I don't know if it will be very  
14 satisfying. It won't be that definite.

15 MS. BLUM: Doug, can you add to that?  
16 Tennessee Hollow, marsh expansion, Doyle Drive, all of  
17 that stuff as you said comes into this area.

18 FACILITATOR KERN: Well, I think we can  
19 help George and whoever might get the -- you know, we  
20 can do some research on that and maybe even work with  
21 them off-line and get them the documents or things that  
22 we know about.

23 MS. BLUM: Okay.

24 FACILITATOR KERN: They know about the --  
25 the cleanup and I think, you know, we can bring these

1 other studies to the table.

2 It's difficult. It's hard to know where  
3 everything exactly is. We can help ourselves by doing  
4 some research.

5 MS. BLUM: Okay.

6 MR. FORD: Okay. The mustard agent and  
7 the SAR sites. I understand that Craig has been in  
8 communication with Bruce Handle and that there is some  
9 kind of product shortly coming from the Army that will  
10 categorize the -- the results of the report, the SAR  
11 report with a recommendation for additional work, I  
12 guess. I know at the mustard site, and possibly at some  
13 other sites.

14 MS. TRIGIANI: Oh, really?

15 MR. FORD: Yeah.

16 MR. ANDERSON: Additional research or  
17 additional cleanup work?

18 MR. FORD: You know, I don't know.  
19 That -- I apologize. This is one that I hope to know  
20 more about, but I can find out.

21 Essentially what it is is a work product  
22 coming out of -- some sort of a work product coming out  
23 of the archive search report.

24 So I will -- I realize this is  
25 unsatisfactory and I'll try to have a little more

1 information on this for the committee meeting so I can  
2 elaborate a little bit.

3 Doug, you had said -- I don't know if  
4 you -- we mentioned this one, this project at the  
5 beginning of the meeting.

6 Did you talk with Craig about his  
7 conversation with Bruce?

8 FACILITATOR KERN: No. Actually, no.

9 MR. FORD: Okay.

10 MR. BOGGS: I talked with him briefly.

11 FACILITATOR KERN: It was Bob.

12 MR. BOGGS: And hopefully we're waiting  
13 for more from the core, but they did kind of submit a  
14 draft thing that's not for release yet, just kind of as  
15 a teaser saying -- I think they know that they're under  
16 continuing pressure to get something out, so they're  
17 kind of trying to feed a little bit into the system, at  
18 least, to show that they're making efforts, but --

19 MR. FORD: Give us something so we'll  
20 shut up and leave them alone for a while.

21 MR. BOGGS: What they've provided is  
22 probably inadequate at this point, but we're hoping to  
23 get more.

24 MR. FORD: What did we go, eleven months  
25 or a year with nothing?



1                   Okay. Well, I'll try to flesh that out a  
2 little more.

3                   MR. O'HARA: George, can you give me some  
4 sort of an idea of what it is that you expect or that  
5 you want? I mean, there's something coming in on the  
6 truck, but what is it that you want to see?

7                   MR. FORD: I think what the Trust needs  
8 is a -- essentially recommendations for further --  
9 further work, if necessary.

10                  I mean, we need a conclusion that either  
11 says okay. There were only three mustard gas bottles  
12 out there and you found them all, so you can take the  
13 fences down and you're golden.

14                  It's unlikely that we'll get a  
15 recommendation like that, but what we need is a  
16 recommendation as to how to proceed, you know, so that  
17 we can decide whether we can proceed or whether we --  
18 you know, the Army has to proceed on our behalf.

19                  You know, right now it's just kind of --  
20 no decision has been made. We know that they did an  
21 archive search report. We suspect that it may have  
22 yielded results that are somewhat different than the  
23 earlier reports that the Army did.

24                  MS. TRIGIANI: Considering that there was  
25 no mustard gas whatsoever.

1 MR. FORD: I don't know.

2 MR. ULLENSVANG: They have not done an  
3 archive search report for the Presidio.

4 MS. TRIGIANI: Ever, but wasn't it that  
5 there is no --

6 MR. ULLENSVANG: I don't think they said  
7 that there wasn't, but they didn't provide that there  
8 was. I think what we had asked Bruce for, whenever he  
9 came, was to send his experts and have them review and  
10 draw conclusions from the archive search report, which  
11 is more of the claims.

12 We found these things, but it doesn't say  
13 what it means, and the way the Army has broken it up,  
14 they have done the research and another group to explain  
15 the research and we were looking for that to tell us  
16 what it is, if any, and at some of the sites would  
17 resolve with additional work being done, and we talked  
18 with the St. Louis Army folks that were here that there  
19 were opportunities to do more photo work and delve  
20 deeply into their files and that might be a suitable  
21 next step as you might have whether there ultimately  
22 needs to be field work or not.

23 MR. O'HARA: Okay.

24 MS. PASSERO: A background question.

25 Does the Army have some specified time frame to respond?

1 I don't know if it's in the agreement or maybe the  
2 obligation's elsewhere, but is there some sort of time  
3 frame? Whether it's in the agreement with the Trust.

4 When you're trying to work something out  
5 like this, do they have you must respond within ninety  
6 days or 120 days of when there is an inquiry or  
7 something this way?

8 You know how sometimes agencies have their  
9 own obligations pursuant to law? Is the Army bound that  
10 way to be responsive, too?

11 MR. FORD: You know, I don't know. I  
12 would have to look at the MOU between the Trust and the  
13 Army.

14 My guess is that it probably says  
15 something like "use best efforts," you know. The truth  
16 is when it comes to compelling the Army to do  
17 anything -- I mean, the RAB -- the Presidio RAB is maybe  
18 for most experts on this, that you -- you know, you  
19 can't -- there's no stick big enough to hit them with.  
20 You can't make them do something they don't want to do,  
21 just because it's a huge organization and it's not  
22 designed for prompt public response. You know, that's  
23 not part of their mission statement.

24 So, I don't know. I can look at the MOU,  
25 but --

1 MS. TRIGIANI: Mission statement.

2 MR. FORD: There's a lot of things that  
3 they do.

4 MS. PASSERO: Do they pay for opportunity  
5 costs? Is that part of the damages that they can pay?

6 MR. FORD: I don't think so. I can check  
7 the MOU, but I'd be very surprised if there's anything  
8 in there about opportunity costs.

9 MR. BOGGS: If there's substantial costs  
10 due, we can require them to move promptly, but that  
11 doesn't seem to be the case where that exists, so we --  
12 the way my understanding is is we now have an MOA with  
13 the Trust -- an MOU with the Trust, and the Army has  
14 delegated -- designated all the cleanup over to the  
15 Trust, except for those things that are both retained  
16 conditions, and those include the mustard agent,  
17 unexploded ordinance, that type of deal where they have  
18 the experts to really deal with that.

19 The other thing that happens with the Army  
20 is during wartime, they have -- all other agreements are  
21 essentially off. They don't -- so they aren't quite as  
22 quick to respond right now as they might be otherwise.

23 There are some things that can be done  
24 politically and legally to motivate them if they are  
25 really dragging their feet, but I think we're a little

1 ways away from even getting to that point that's showing  
2 that they're totally being negligent.

3 MR. FORD: Okay.

4 MR. BOGGS: So I don't think that they're  
5 going to have that opportunity to get action from my  
6 agency at this point.

7 MR. FORD: We finally have a few projects  
8 on the -- at the end that we're hoping to close out.  
9 Crissy Field operable unit, DEH, which is also at the  
10 east end of Crissy Field, and Building 637 cap, which is  
11 on the south edge of Crissy Field.

12 So we're hoping that in '05, we can get  
13 those closed out.

14 Groundwater sampling was done right before  
15 Christmas, so the samples are working their way through  
16 the system, and the draft report will come out to make  
17 Brian crazy, I guess, in another month or so.

18 MR. ULLENSVANG: It's due in a couple  
19 months.

20 MR. FORD: Yeah. A couple months.

21 Lead based paint. The documents that have  
22 gone out for the revised lead based paint plan,  
23 technical approach work plan and a proposed plan and  
24 fact sheet.

25 The Trust is waiting for an okay from DTSC

1 to start the public comment period, and in the meantime,  
2 we're moving along.

3 Larson is moving along in cleaning up  
4 additional buildings in accordance with the plan and the  
5 technical work plan.

6 Some general notes on the schedule. RAP 3  
7 we talked about, we're working on that to try to get the  
8 cleanup started later this year.

9 RAP 4 is also being worked on to try to  
10 get construction started -- it starts at 8 and 10 in  
11 2006, and we are starting work on RAP 5 in order to get  
12 ready for construction starts in '06 and '07.

13 So three RAPs in the pipeline right now.

14 MR. BERMAN: Are those all being done in  
15 house, these preliminary work?

16 MR. FORD: No. These are all actually  
17 being done by contractors.

18 Yeah. The plan now is that we -- the  
19 Trust has got, what, five or six project managers. We  
20 don't have the in-house horsepower to try to write these  
21 documents in-house, so we hire it out.

22 FACILITATOR KERN: With -- with respect  
23 to RAP 4 and Landfill 8 and 10 and I guess I -- I guess  
24 I should just say once again that like landfill 8 seems  
25 to be a highly controversial site that is going to

1     require some examination when we get the feasibility  
2     studies stuff out.

3                 It seems strange that we would be  
4     spending, you know, dollars on the RAP, this document  
5     when we don't -- we haven't really even decided or come  
6     to the group to kind of work on what the alternatives  
7     even are.

8                 So I guess I should throw that out there  
9     as --

10                MR. FORD:   Well, I think we -- part of  
11     the reason you start working on the RAP is so you use  
12     that to -- that's a work where you develop some  
13     alternatives, so you can discuss them. That's part of  
14     what's going on.

15                I mean, you know, I think we want to have  
16     alternatives developed by the people who do that for a  
17     living so that we can then review them and discuss them  
18     and add to them as we see fit.

19                FACILITATOR KERN:   Well, I --

20                MR. FORD:   You know, I -- there --  
21     there's a lot of stuff in a RAP and there's a fairly  
22     long lead time.

23                FACILITATOR KERN:   I just thought the  
24     alternatives were in the feasibility study. That is --  
25     unless I'm wrong about that. I thought that's where we

1 saw the evaluation and the RAP was just -- here's what  
2 we picked and this is why.

3 So --

4 MR. FORD: That is the classic definition  
5 of a RAP. So I don't know. I have to plead ignorance.  
6 This is a project that I spend little time with, but I  
7 can find out.

8 Maybe we can get Chris to come to the  
9 committee meeting, and if he can't, then maybe he can  
10 fill me in on the planning process for 8 and 10.

11 MS. BLUM: And George, maybe Doug -- does  
12 the natural resources get a chance to look at these  
13 plans before they're put in -- rough drafts before  
14 they're put in print; in other words, to circumvent  
15 problems that may occur later?

16 Does natural resources have a chance to  
17 look at some of the drafts that you have or remediation  
18 in these specific sites?

19 MR. FORD: Well, typically they would. I  
20 know for RAP 4, because landfill 10 is partly in area A.  
21 I mean, the Park Service, natural resource staff is  
22 paying close attention to what's happening.

23 MR. ULLENSVANG: I should point out that  
24 we're not yet involved with the RAP.

25 MR. FORD: Okay.



1 MR. ULLENSVANG: We're only looking into  
2 getting the feasibility study together. For those sites  
3 in area A --

4 MS. BLUM: Mm-hmm.

5 MR. ULLENSVANG: -- we're early in the  
6 process, as early as we get something from the draft to  
7 usually include that.

8 MS. BLUM: That would go to the Trust, as  
9 well, now that we have that active --

10 MR. ULLENSVANG: And George or Mark would  
11 have to talk about when that is involved.

12 MR. FREY: Generally right now I'm  
13 talking with Chris about landfill 8.

14 MS. BLUM: About landfill 8?

15 MR. FREY: Yeah. So it's sort of pre-  
16 draft, so he updates me and I talk to him.

17 MS. BLUM: Okay. And I think all  
18 those -- the studies are so important to these  
19 particular areas to make sure that our natural assets  
20 are protected in advance.

21 MR. FORD: I guess I'd offer the general  
22 comment that the -- you know, the lead time on the RAPs  
23 is long. It's quite common for us to be working on one  
24 eighteen months to two years before the remedy's going  
25 to get done.

1           So I don't think it's the kind of thing  
2 that you can just keep -- I mean, the price of putting  
3 the RAP work on hold is that the remedy -- whatever  
4 remedy you eventually select may not get done till much  
5 later because it takes a long time to produce one.

6           FACILITATOR KERN: I think I'm just  
7 voicing heightened probably in the extreme category of  
8 frustration about these sites.

9           I mean, I feel like we have been asking  
10 about Landfill 8 and 10 -- I can probably find it in the  
11 records for two years.

12           We've been hearing about we're going to  
13 get the conceptual alternatives and, you know, I'll be  
14 open to being corrected, but have I been asking this for  
15 a long, long time?

16           And it just -- it's startling to me to see  
17 that work is proceeding on the decision document --  
18 anyway, that's just an opinion and a frustration.

19           MR. FORD: Okay. I'll pass it along to  
20 the -- the parties who are working on the project.

21           FACILITATOR KERN: I suppose one way  
22 to -- and I don't want to direct this at you, George,  
23 but -- but you're the messenger, so it's like --

24           MR. FORD: It's okay.

25           FACILITATOR KERN: It's building up to

1 such an extreme degree that I'm getting the impression  
2 that, you know, our -- is there something that people  
3 don't want to say? Is it going to come out and here's  
4 what we're going to do and you got ten seconds to  
5 respond to it?

6 It's kind of -- what -- can somebody just  
7 start talking to us about what is being considered?

8 We've got the cemetery site there. It's  
9 just something that needs to get discussed out here and  
10 what people are thinking, and it's not going to go away  
11 by not talking about it, so --

12 MR. BERMAN: Well, just to put this on --  
13 on a little more formal, would you agree, Doug, that  
14 we'd like to make a request to hear at a committee  
15 meeting a discussion on the alternatives?

16 FACILITATOR KERN: Well, we have that  
17 down for the March committee meeting, the conceptual  
18 alternatives would be discussed that, so yeah.

19 It seems like it's got to come out sooner  
20 or later, whatever's being talked about to those two  
21 sites.

22 MR. BERMAN: For both 8 and 10.

23 FACILITATOR KERN: Yeah.

24 MR. BERMAN: So presumably if there's  
25 a -- if you've given this work to a contractor, it would

1 be nice if it -- if -- is it the same contractor for 8  
2 and 10? Yeah. They're doing the RAP 4, right, just one  
3 contractor.

4 MR. FORD: Yeah.

5 MR. BERMAN: So it would be nice if that  
6 contractor could come to a committee meeting and -- the  
7 next committee meeting and explain it.

8 It's down for March, but we don't really  
9 have an agenda full yet for the February committee  
10 meeting and maybe it might be possible to do this  
11 earlier.

12 MR. FORD: Craig will still be gone at  
13 the next committee meeting, and I have a feeling it's  
14 too late to get ready for the February committee  
15 meeting, but I'll check into it.

16 I guess from my perspective, what I'd like  
17 to do is focus on the March committee meeting, if that's  
18 already been thrown out as a possibility, and make sure  
19 that both the Trust and the contractor are prepared to  
20 do a proper job of it at the March committee meeting.

21 But Brian, do you foresee -- I think  
22 you're a little closer to the process than I am.

23 Do you foresee a problem with --  
24 describe -- giving a briefing on alternatives in March?

25 MR. ULLENSVANG: Not at all.

1 MR. FORD: Then plan on it.

2 FACILITATOR KERN: All right. We're  
3 planning on it.

4 MR. BERMAN: So that's a hot action item  
5 for you, George.

6 MR. FORD: It is until tomorrow morning  
7 and then it will be a hot action item for somebody else.  
8 I'll be running down the hallway behind him with a stick  
9 saying, "Get ready." So, okay.

10 All right. This is sort of a generic --  
11 I'm not sure where this came from. It seems like a warm  
12 and fuzzy statement about good things to come from  
13 project summary reports, which I believe they'll --  
14 actually good things will come out of it.

15 Alan, our cost accounting guy is working  
16 on them, and both loading historic data into projects,  
17 because for projects that have been going on for a long  
18 time, there's reams of stuff that he has to load into  
19 the system as well as tracking the current expenditures,  
20 so we will be seeing results from that shortly.

21 And recently released documents. Geotech  
22 and cultural FSPs, if you haven't read them, you'd  
23 probably leave them -- don't read them now because  
24 they're going to be revised. Another two weeks, there  
25 will be a new version out, the landfill EFS, the initial

1 study for RAP 3 and the 207/231 data report.

2 I think that's the last slide.

3 FACILITATOR KERN: Thank you, George.

4 MR. O'HARA: You're off the work.

5 MR. FORD: You know what? I get paid to  
6 be on the hook, so it's okay.

7 FACILITATOR KERN: We should take a break  
8 here, but if any of you need to leave at the break,  
9 there is a document, a draft letter from the RAB that  
10 you might take a look at. I'm going to try to get it  
11 out over e-mail, as well.

12 It's a draft response for a comment letter  
13 on RAP 3, and in it we have a comment on specific sites  
14 and I'll be covering that briefly tonight after the  
15 break.

16 So maybe we can take about ten minutes and  
17 give our recorder a break and us a break and then we'll  
18 come back and finish the meeting.

19 Thank you.

20 (Recess taken).

21 FACILITATOR KERN: All right. So we can  
22 try to move people out of here in some reasonable  
23 fashion, I think I'm going to try for purposes of  
24 accelerating our comments on RAP 3 briefly discuss this  
25 letter and ask you to possibly read it some more on your

1 own and I'll send it via e-mail. You can send me some  
2 comments if you wish.

3 Effectively there's -- I always get this a  
4 little bit wrong, but there's something like 31 sites in  
5 this document, and many of them are -- we agree with,  
6 and without going into all those, I think there are some  
7 23 out of 31 that we concur with. So that's really  
8 good.

9 George has been talking about some of  
10 these tonight. The Baker Beach sites are included in  
11 this, and we're all on board, all of those things.

12 I also want to say that we're sincere in  
13 our appreciation and thanks to the Trust for how all  
14 this work has gone and how this is done.

15 Then I've got comments on the eight sites.  
16 Two of the sites, maybe George can help us a little  
17 bit -- I don't know if you know, but there are two sites  
18 in the document called the railroad tracks and the cold  
19 storage area that I don't think we've ever received any  
20 information on those, and if we did, I may have missed  
21 it. They're in this document, and so we can't really  
22 even comment on that yet.

23 Do you know?

24 MR. FORD: They're secret. We're never  
25 going to tell you about it.

1 FACILITATOR KERN: Excellent.

2 MR. FORD: They are actually the CERCLA  
3 sites that are down at the -- in the commissary PX area.

4 MR. ULLENSVANG: If you go through the  
5 notes of George's presentation, chapter 8 is those two  
6 sites.

7 FACILITATOR KERN: Chapter 18.

8 MR. ULLENSVANG: There's a slide on --

9 MR. FORD: Chapter 18 of RAP 3.

10 MR. ULLENSVANG: It covers two CERCLA  
11 sites at the commissary PX area. Those that you just  
12 mentioned will be given to DTSC in late February.

13 FACILITATOR KERN: So, given to --  
14 chapter 18, it's in the document, but it's like  
15 paragraphs saying that we don't have it yet. So we  
16 actually don't have it.

17 MR. FORD: Right. We haven't given you  
18 anything on that, but it's in the pipeline. There is  
19 some stuff.

20 FACILITATOR KERN: Just checking that I  
21 missed that.

22 Then there are the six sites. I realized  
23 in reading this before I sent it out kind of when I  
24 write these things, there's perhaps a little bit of,  
25 shall we say, emotional content in the document.



1                   So that needs to come back out and that's  
2 usually part of the process of at least putting it out  
3 there.

4                   MR. ANDERSON:   Why does that have to come  
5 out?

6                   FACILITATOR KERN:   Well, because a lot of  
7 people end up reading this and we've always -- this  
8 stuff lasts for years and it's stuff we want to be proud  
9 of and we don't need emotional content in this.

10                   And so, you know -- but it kind of comes  
11 out during the first draft, so it needs to come out in  
12 future drafts.

13                   MS. PASSERO:   It's like catharsis for  
14 you.

15                   FACILITATOR KERN:   Yes.

16                   MS. TRIGIANI:   Can we get rid of the  
17 emotion, but leave the fervency?

18                   FACILITATOR KERN:   Well, this group has  
19 always been persuasive. We don't overreach. We don't  
20 put out anything that's just wildly speculative. It's  
21 always based on something.

22                   So I guess I would just quickly go through  
23 these six sites to give you a flavor of what we're  
24 talking about, and then you're free to give me  
25 suggestions about style and all that.

1 Lobos Creek is the first one on the list  
2 that I think deserves probably the most care in terms of  
3 writing this paragraph.

4 There are three contaminants of concern,  
5 at least in my view. They're not huge deals, but it's  
6 lead, arsenic and -- and copper.

7 Copper being in Lobos Creek, there was a  
8 hit above sort of action levels, just one; not a big  
9 plume or anything, but copper is known to be potentially  
10 toxic to aquatic organisms.

11 So that's something that I think is  
12 important to not just explain away.

13 Well, we didn't have a lot of hits from  
14 it, so it doesn't matter. That's the flavor that I got  
15 from the document, so that's why you sense frustration  
16 from why I'm writing here.

17 There's a lot of explaining away these  
18 hits as not being significant, close to the action  
19 levels.

20 Well, we have one or two that exceed it,  
21 but they're not too important, so don't worry about it.  
22 We don't think they're coming from the site, so don't  
23 worry about it, and I just -- this is Lobos Creek. I am  
24 worried about it, and I think we should be worried about  
25 it.

1                   And there have been numerous sampling  
2 events around Lobos Creek and each one has found a  
3 little bit of something.

4                   To me, it looks just like Mountain Lake  
5 looked and it seems like we ought to be active at  
6 looking at this and really determining what's going on  
7 in Lobos Creek.

8                   So I think in general, all these sites,  
9 these six sites that I comment here, they're being  
10 looked at as no further action, but really they're --  
11 there's not enough information yet to firmly decide to  
12 not do it, in my view.

13                  Now there's a lot of no further action  
14 sites that we do concur on because the samples were  
15 taken, there wasn't a problem. It was obvious.

16                  We agree, but on these six sites, it seems  
17 like there are things there that might be indicative of  
18 a problem and it just depends on your outlook.

19                  I'm not suggesting the remediation  
20 department at all wants to get out of doing something.  
21 They have plenty of things that they're selecting to do.

22                  This would be a very difficult site, Lobos  
23 Creek. It's not something that any of us would hope  
24 that it would be contaminated. I just feel personally  
25 that I'm not ready to say it's no further action.

1           And I can probably do a better job writing  
2 this up and explaining some of the -- some of the  
3 reasons.

4           Yes.

5           MR. BOGGS:   One of the things that might  
6 be helpful is actually providing the Trust with input on  
7 what additional work would help demonstrate either A,  
8 more work needs to be done; or B, no further action is  
9 appropriate.

10           Sometimes, like you said, a lot of these  
11 sites, it's a balance of is it worthwhile to go get more  
12 information or do a cleanup instead, and we can't make  
13 Swiss cheese out of every site, particularly sites that  
14 are no further action sites since they're -- if there is  
15 questions involved, what may also be constructive in  
16 your comments is how to best resolve those concerns or  
17 some ideas to resolve those concerns.

18           FACILITATOR KERN:   Well, that's -- that's  
19 totally fair, and having walked the whole length up and  
20 down in the creek bed of Lobos Creek, there are areas  
21 where there's debris in the bottom of the creek, fences,  
22 bricks, bottles and some of these hits may be indicative  
23 of -- while it may not be landfill 10, which is  
24 immediately at the headwaters, it could be -- there was  
25 lots of Army activities.

1           Maybe something else got pushed in the  
2 creek, some other kind of landfilling; it could be from  
3 the neighborhood side, but, yeah, that's fair to  
4 indicate either additional work or how to resolve the  
5 concerns. Appreciate that.

6           MR. SUTTER: Doug, I just have a general  
7 question. I'm not second-guessing your comments, but  
8 these no action sites that you're raising some questions  
9 about, are these sites where the sampling has been  
10 extensive and has indicated that there are not  
11 contaminants above cleanup levels?

12           FACILITATOR KERN: Well --

13           MR. SUTTER: I mean, I'm trying to see  
14 where -- where the line of demarkation is.

15           I mean, all of these sites have been --  
16 have been sampled extensively or fairly extensively or  
17 in accordance with current -- current signs and  
18 practice, and I would presume that the Trust is finding  
19 no further action results because they're not finding  
20 contaminants beyond the cleanup levels.

21           Is that a correct assumption or is there  
22 more involved or is that too simplistic?

23           FACILITATOR KERN: Well, I think it  
24 should be somewhat that simple. I mean, it should be if  
25 you didn't find anything, no further action. If you

1 find a lot of stuff, well, then we got to do something.

2 It's these sites -- I think all these  
3 sites are in that gray area. There's something has been  
4 found, but is it enough to do something?

5 There are hits of lead and arsenic above  
6 the cleanup level.

7 Does that mean that you clean up the whole  
8 creek? Not necessarily, and I'm not suggesting that  
9 this deserves a cleanup.

10 They're not hugely above the cleanup  
11 levels. They're not massively, you know, toxic, but the  
12 explanations for what these hits are are not satisfying.

13 They're kind of explained away in a  
14 fashion that I don't think should stand on the record  
15 for something that we would agree to.

16 So there are hits above cleanup levels. I  
17 don't necessarily disagree that they -- it should be  
18 left alone, but I don't think we're there yet on Lobos  
19 Creek to decide that.

20 It's not a very good satisfying answer.

21 MR. BERMAN: I think that's the character  
22 of all -- at least the five of the six of those no  
23 action is that there has been an occasional hit found  
24 and the explanation for it is not sufficiently rigorous  
25 that you can walk away from it and say that the no

1 further action is totally justified.

2 So I think the nature of the comments are  
3 all that the level of rigor that public is demanding or  
4 asking for is not shown in -- in the -- in the RAP When  
5 hits have been found, and in the cases where we agree,  
6 you read the report, there's no hits at all.

7 So, you know, it's really clean. It's  
8 like you say, so the question is now when there are some  
9 hits, what's the level of rigor that justifies the no  
10 action, and I think what Doug is hitting on -- at least  
11 Doug correct me, but reading your -- the letter is that  
12 the level of rigor supplied in order to explain away the  
13 occasional hit is insufficient.

14 MR. SUTTER: So the questions revolve  
15 around the analysis, not the findings necessarily.

16 FACILITATOR KERN: The findings seem to  
17 indicate that there are some issues. It's the -- the  
18 decision of what to do with that, and -- and the --  
19 there are requirements within the documents for I guess  
20 the responsible party to offer an explanation as to why  
21 they're not going to proceed with the cleanup, and I --  
22 I'm not -- I'm not happy with how that reads. It's not  
23 something that I would feel good to leave behind right  
24 now.

25 MR. BERMAN: Doug, would you agree that

1 it's sort of -- would you agree with my statement -- I  
2 mean, my interpretation in reading this stuff that the  
3 level of rigor for justifying the no action is  
4 insufficient?

5 FACILITATOR KERN: Yeah.

6 MS. PASSERO: I guess a further  
7 clarification, because here, one of the recommendations  
8 again -- I may bring it into a lot of detail at this  
9 point, but perform more detailed investigation might be  
10 one option, but the other option maybe is to further  
11 explain or substantiate how they got to the conclusion  
12 that they did, so maybe that action justifies or creates  
13 more comfort with the no further action recommendation,  
14 and if not, then this next step would be --

15 FACILITATOR KERN: Those would definitely  
16 be options. One of the things that's in the back of my  
17 mind, for example, is for years we heard that Mountain  
18 Lake was a no further action site, but there were  
19 occasional low level hits there, and it wasn't until  
20 another study, a totally separate study by the  
21 University of California that was looking at pollen  
22 there that found the lead in high amounts, and if not  
23 for that study, we wouldn't have found the lead in  
24 Mountain Lake, and that's exactly what I'm concerned  
25 about at Lobos Creek is there's something sitting there.



1           There's enough -- we're getting enough  
2   detections of things that there are other reasons why we  
3   could be getting detections in Lobos Creek. It's --  
4   there's a large watershed there and there's materials  
5   perhaps coming in from the City, and that would explain  
6   some of the detections of TCE at the water treatment  
7   plant, some of those organic chemicals, and those are  
8   talked about in the report. I'm not really dealing with  
9   those.

10           I'm talking about the inorganic, the  
11   metals that are found in the sediment in the creek and  
12   some of the things that are found dissolved in the creek  
13   water, so -- yes, both those things that you said are  
14   right as options.

15           Anything else on Lobos Creek at the  
16   moment? I mean, I think it needs to be more properly  
17   written, but those -- either more detailed field  
18   investigation or a better explanation. Those would be  
19   two good options.

20           1151/1153 brings up another issue. This  
21   is a relatively insignificant site. It's not something  
22   that I think that anybody should be too concerned about,  
23   but it's an area near a building I think that's paved  
24   over now for an entrance into a parking lot.

25           So I think it's -- it was formerly a PCB

1 site that had PCB contaminated soil. The Army did a  
2 cleanup, but there was some remaining residual  
3 contamination there.

4 So the Trust is asking for no further  
5 action, but leave land use controls in place, deed  
6 restrictions, basically, that the land or the property  
7 could not be used for residential use.

8 I think those are all possible solutions.  
9 It's estimated in the document that the land use  
10 controls could run \$30,000 to implement, and I'm just  
11 wondering.

12 I couldn't find in the document how much  
13 it would cost to actually get at this remaining  
14 contaminated soil, and it would probably be more than  
15 \$30,000 to go in there and get the crew, dig up all the  
16 asphalt, get rid of this very low level PCB, import a  
17 clean fill and repave it.

18 But that's the issue that I have there.  
19 Maybe it's not a big one, but it seems if you are going  
20 to leave land use controls, who's going to manage it?  
21 How are they going to keep track of it? What's it  
22 really going to cost? And I think that's not an  
23 insignificant problem to keep track of.

24 The way things are going on in terms of  
25 development, you know, ten, twenty years down the road

1 somebody wants to redo something there, how do we know  
2 that anybody's going to remember that there was PCB  
3 contaminated soil there?

4 So that's another part of the comment  
5 there. How are these -- who's going to manage it?  
6 Who's going to be responsible for tracking sites where  
7 there are land use controls?

8 We already talked about the railroad  
9 tracks and the sole storage. 1450 and 1451, that's up  
10 by the Nike facility, I think, a couple of buildings up  
11 there.

12 This is sort of the same issue that I had  
13 with Lobos Creek. There seem to be little level hints  
14 there that warrant further investigation.

15 Graded area 9, it's a similar issue with a  
16 slight wrinkle. I believe that -- that agents --  
17 agencies may have some agreements at graded area 9 to  
18 restore the site, but I don't know what those agreements  
19 are and I think there are residual contaminants at  
20 graded area 9.

21 And so I'd like to know kind of what the  
22 deal is at graded area 9 so we can all sort of rest  
23 assured that we know how the site is going to be  
24 treated.

25 Right now it's a big sand pile on top of

1 it. I'd just like -- you know, it's been considered for  
2 development and all sorts of other issues there. I  
3 guess I just would like to know.

4 MR. BOGGS: When you're referring to  
5 agreements with agencies, I don't know that we have any  
6 agreement other than we allowed them to place the sand  
7 pile there, and it was very clear there was a caveat  
8 that that was being done at their risk if the site  
9 needed further action.

10 So there's no agreement with our agency --

11 FACILITATOR KERN: Okay.

12 MR. BOGGS: -- at this point other than  
13 we've allowed them to place the sand there.

14 FACILITATOR KERN: All right.

15 MR. BERMAN: But that's interesting  
16 because in the RAP, there's no mention of any liability  
17 involved in -- in the graded area 9.

18 FACILITATOR KERN: Right. It's --

19 MR. BERMAN: I think what you're saying  
20 is there's a potential liability there because the sand  
21 that's there may or may not be free of contamination.

22 MR. BOGGS: No. We're not worried about  
23 the sand. It's the site underneath the sand.

24 MR. BERMAN: Okay.

25 MR. BOGGS: And so if that site that's

1 underneath the sand does require excavation and off-site  
2 disposal for some reason, the Trust would have to move  
3 the sand in order to get to that contaminated soil.

4 So their -- their risk is having to move  
5 the sand.

6 FACILITATOR KERN: I think the way it's  
7 been explained is that there may be some agreement to  
8 restore the site and that will be just the Trust doing  
9 that at some point, but how will the site be restored  
10 and will it be ripped up? Will it be remodeled in some  
11 way so that there would then be enough disturbance that  
12 the soil would have to be tested and all of that, and  
13 how would that go and what's the thinking?

14 It would be nice if we could understand  
15 that so we could agree whether this no further action is  
16 a good way to go.

17 So it's just -- it's a question mark; not  
18 a big one, but maybe some simple answers could be --  
19 could come out.

20 Building 215 is the area over by the  
21 Burger King. There was a rush to get that area cleaned  
22 up in an interim action, I think, because there was  
23 going to be development at the site, and it appears to  
24 me that there's still some residual contamination there,  
25 but it's a no further action site.

1           So it has happened in the past that people  
2 will ask for a quick cleanup. They'll get most of the  
3 stuff cleaned up and then years pass and then it becomes  
4 no further action rather than really tidying up the  
5 site, and so I'm a little bit concerned that we still  
6 may have some residual contamination.

7           There's also an issue about the hexa valia  
8 chromium, but I may take that out of the document as  
9 possibly -- well, it may not be our strongest argument,  
10 but the hexa valia chromium was supposed to be --  
11 originate up in the headlands where all of the  
12 serpentine is, and that's where the detections were the  
13 strongest, and by the time the chromium would have  
14 transported down to the bay, it would have been reduced  
15 to tri valia chromium.

16           Well, this is down by the bay, so it's  
17 still hexachrome, so what's going on with the theory of  
18 that? That may be a whole separate issue.

19           MS. TRIGIANI: Doug, when you say  
20 "headlands," do you mean on top of the watershed?

21           FACILITATOR KERN: Yeah. Up by the  
22 Inspiration Point, yeah.

23           Building 609, this is kind of a -- been on  
24 odd site. It's been named -- different sites have been  
25 named 609. It's also appears to be in the commissary

1 area where Building 609 is.

2 In this document, it appears to be no  
3 further action.

4 I'm just wondering whether the activities  
5 at the commissary might actually dig up some residual  
6 pesticides that are here.

7 I don't know how that's being handled.  
8 It's just confusing to me, so this just may be a non-  
9 issue.

10 So that's the extent of our comments that  
11 I have come up with. They're kind of at the edge and  
12 they're just trying to be really tidy and hit every last  
13 issue so we can feel like we did our absolute best on  
14 this.

15 So take a look at it. I'm going to  
16 extract my emotion from it and it will be a nice  
17 document when we're done.

18 MS. TRIGIANI: When do you want comments  
19 if we send them?

20 FACILITATOR KERN: Well, I think we  
21 should discuss it next meeting at the committee meeting  
22 and be ready to finalize it and have people sign on to  
23 it, and if people are comfortable with it, and possibly  
24 the agencies can give us feedback on some of these and  
25 we won't even have to include it in the -- in the

1 document.

2 I guess everybody should put the big word  
3 "draft" on this. I'm remiss for not doing that. This  
4 shouldn't be considered -- it shouldn't float around as  
5 an actual document. It's very much a draft. It's an  
6 internal review draft --

7 MS. TRIGIANI: Got it.

8 FACILITATOR KERN: -- made public at our  
9 meeting.

10 MS. TRIGIANI: Do we have to write all  
11 that down?

12 MS. PASSERO: Just for the record, right.

13 FACILITATOR KERN: So I think for  
14 consideration of time, let's step aside on landfill E at  
15 the moment, unless anybody has any particular comments  
16 that they think need to be raised tonight and go to the  
17 regulatory updates.

18 MR. BOGGS: Well, I might as well start  
19 with an update for landfill E, make a nice segue.

20 At the last RAB meeting, there was a  
21 concern regarding Ptemp being considered an ARAR for the  
22 site, and that kind of affects the cost estimate for the  
23 clean closure alternative, and I had advanced that  
24 discussion to our legal department and it actually got  
25 escalated to the head of the legal department.



1           What kind of came out of those discussions  
2 was here we talk about planning documents in terms of  
3 potential future land use, and this helps us figure out  
4 cleanup levels, whether it's going to be industrial or  
5 residential, et cetera.

6           Here they're talking about having the  
7 planning document that would necessitate the restoration  
8 and affect the cost.

9           Our legal department was quick to point  
10 out that when we go to approve a remedy, cost is  
11 actually the least of our concerns. We actually have  
12 the defining criteria over all protection of human  
13 health and the environment, compliance with ARARs, the  
14 regulations, et cetera.

15           So their point was that it's really a non-  
16 issue for my agency whether that plays into the costs or  
17 not.

18           As far as -- as long as whatever remedy is  
19 being proposed by the Trust is protective of human  
20 health and the environment.

21           So to make a long story short, although  
22 there may be some concerns with the cost, that  
23 alternative of digging up the whole landfill, it's  
24 really an issue between the Trust and in their planning  
25 process whether that actually has to be restored by

1 backfilling it to make it a ballfield or whether it  
2 could be restored into a -- its natural habitat.

3 So you -- there's not a lot of backing  
4 from my agency as far as saying that that's the wrong  
5 way of doing a cost estimate.

6 Basically if our agency considered the  
7 more expensive alternative was the only one that was  
8 protective and the only one that complied with laws, we  
9 would require the Trust to do it, but if there are other  
10 alternatives that meet those requirements of being  
11 protective, we're open to considering those, as well.

12 FACILITATOR KERN: You have a question.

13 MR. ANDERSON: Yeah. My recollection of  
14 the discussion was not one of cost, but whether the  
15 clean closure should be rejected because it it did not  
16 meet ARARs.

17 MR. BOGGS: Well, that's where the issue  
18 kind of -- they actually changed their wording mid RAB  
19 meeting to be not that it wasn't compliant. It wasn't  
20 consistent with.

21 And basically it was that they were  
22 considering -- and it all centered around the Ptemp was  
23 being considered an ARAR.

24 MR. ANDERSON: Right.

25 MR. BOGGS: Right. And so how -- there's

1 something such as Ptemp when you evaluate whether --  
2 Ptemp can be what is -- there's classifications of  
3 ARARs, classifications of requirements.

4 The Drinking Water Act is a type of  
5 requirement that they have to comply with --

6 MR. ANDERSON: Right.

7 MR. BOGGS: -- no matter what.

8 There are things that are secondary  
9 standards like taste and odor that there's not really a  
10 threshold. They're supposed to try to comply with it,  
11 but there's not a forcing regulation, so it's something  
12 that they would consider to be considered criteria  
13 letter.

14 So my question was if Ptemp is actually  
15 something they have to comply with. That's different  
16 than if it's considered something that has to be  
17 considered, and so that's why --

18 MS. TRIGIANI: Which is it, Bob?

19 MR. BOGGS: It's generally considered an  
20 ARAR because that's what's going to define future --  
21 potentially reasonable future land use; i.e. whether it  
22 would be residential or not.

23 Now, if they aren't going to meet those  
24 unrestricted use levels, that's where we require them to  
25 have a land use covenant, and that's the -- one of the

1 things that Doug brought up, is that it's not well  
2 spelled out in here yet how they would manage those deed  
3 restrictions and land use covenants over time.

4 There's actually a process for that where  
5 they actually have to develop an implementation plan.  
6 It's kind of like the remedial design. They actually  
7 have to come up with a plan on how they're going to  
8 manage these things over time.

9 So it doesn't have to sit in somebody's  
10 memory.

11 So if they aren't going to meet those  
12 things that are ARARs, they would have to develop a land  
13 use covenant, and that's what would actually be required  
14 for landfill E if they're not going to clean it up for  
15 clean closure, yeah, you can't put a day care center in  
16 there, et cetera, et cetera, and if they're going to cap  
17 it, you have to maintain the cap, check it every so  
18 often, et cetera.

19 So there are a lot of requirements such  
20 that one of our comments is going to be that their cost  
21 of 30,000 for maintaining these things is probably a  
22 little low, but again, that's not going to be a deciding  
23 factor for our agency. It's just going to be a comment  
24 on the report.

25 MR. ANDERSON: I'm still not sure that I

1 heard an answer.

2 MR. BOGGS: Okay.

3 MR. ANDERSON: It seems to me the issue  
4 is: Is it reasonable to say that clean closure is not  
5 possible?

6 MR. BOGGS: I don't think they said that  
7 clean closure's not possible. I think they said that  
8 it's fifteen million dollars.

9 Kind of what my question would have hinged  
10 on whether it would be 2.8 million lower than that, and  
11 then they also went through a listing analysis on that  
12 to say well, clean closure could be twenty million.

13 They're not saying it's not possible.  
14 They're saying it's not twenty million dollars.

15 MR. ANDERSON: They rejected it because  
16 it did not meet ARARs.

17 MR. BOGGS: That's -- well, I don't get  
18 that they said that they rejected it.

19 MR. ANDERSON: From what I understood.

20 FACILITATOR KERN: There was the  
21 implication that that alternative was -- at least in the  
22 original wording was not compliant with ARARs.

23 MR. ANDERSON: I never understood the  
24 distinction between two wordings, but --

25 MR. BOGGS: That's just the alternative,

1 digging it up and not backfilling it in with --

2 MR. ANDERSON: Correct.

3 MR. BOGGS: So they're saying the ARAR  
4 would drive them to have to fill it in so that they  
5 could create a ballfield.

6 MR. ANDERSON: Yeah.

7 MR. BOGGS: And that difference in cost  
8 between leaving it as a valley that's -- that's clean-  
9 closed and backfilling it, that difference is twenty  
10 million.

11 MR. ANDERSON: I'm not saying it is a  
12 cost issue, but that isn't exactly the question.

13 MR. BOGGS: It's clean-closed with the  
14 baseball field. They excavate the whole thing, fill it  
15 in and put the baseball field there. It's still clean-  
16 closed.

17 MR. ANDERSON: Whatever. The option of  
18 digging it out and restoring it to its natural state, my  
19 understanding, is that they rejected it because it did  
20 not comply with -- with ARARs.

21 MR. BOGGS: Right. And that particular  
22 ARAR was Ptemp that required a ballfield. So they're  
23 saying that the clean closure alternative also requires  
24 them to backfill in that valley, kind of like if people  
25 were digging up contamination as a hole where there were

1 leaking underground tanks, they typically fill in those  
2 holes. They don't leave big holes unless they've got  
3 something else planned for that area.

4 They typically would fill in that hole,  
5 and that's driven by a safety issue here, filling in the  
6 ravines driven by Ptemp.

7 It's -- per our legal department, it's not  
8 our concern whether they feel required to fill that  
9 ravine in or not. It doesn't affect our ability to  
10 protect human health and the environment. It's  
11 protected either way.

12 MR. ULLENSVANG: If you look at the  
13 document, there was a threshold criteria for protection  
14 of human health and ARAR compliance. If it failed  
15 those, you would not have to continue on in the  
16 evaluation.

17 If you look in the document, you'll see  
18 that they did continue the evaluation and that they did  
19 go through the remaining criteria.

20 MR. ANDERSON: I guess I misunderstood  
21 that. I thought they did draw the conclusion.

22 MR. ULLENSVANG: They did not. The cost  
23 estimate was developed, because if they failed the  
24 threshold criteria, they would not have developed the  
25 cost.

1           In this case, it is the remaining five  
2 criteria with the last two, community acceptance being  
3 somewhat vague pending those reviews.

4           I think that the last -- the meeting where  
5 Craig presented, the wording was somewhat confusing and  
6 I think it -- I think you really need to go in and look  
7 at how it's worded in the document and see what they  
8 were trying to do and then make your analysis.

9           MR. ANDERSON:    Okay.

10          MR. BERMAN:    But from the point of view  
11 of the -- when you read it, you get the feeling that you  
12 couldn't walk away with just the excavation and without  
13 backfilling and that's the implication of the document,  
14 and the point that -- that bothered me when I read it is  
15 why should that backfill to make the ballfields possible  
16 necessarily come from -- from the remediation funds?

17          Because you would have satisfied human  
18 health and safety by just the excavation and leaving it  
19 in a natural state.

20          And so I think the core issue for -- for  
21 me, at least, is -- is resolving a component of the cost  
22 to make it a ballfield and -- you know, and I like the  
23 idea of the ballfield personally, but I don't think it  
24 should actually come from the -- from the remediation  
25 cost, and that's the part that's -- that's bothersome is



1    somehow it's packed in there so that the overall cost of  
2    that has got the backfill in it, which is one of the  
3    things that drives that number up and -- and, you  
4    know -- that's the point that somehow I would like to  
5    get thrashed out a little bit and have those costs  
6    separated.

7                    I think it was actually in the document.  
8    I can't remember how much the backfill costs.

9                    MR. ULLENSVANG:    Sam, it is separatable  
10   because you can look at the alternative with the no  
11   backfill in site restoration 2, a natural habitat and  
12   compare that to one with the clean closure and backfill  
13   and construction and the backfilling, and the difference  
14   between those two costs is mostly related to the  
15   ballfield.

16                   MR. BERMAN:    Right.

17                   MR. ULLENSVANG:    There's some subtraction  
18   because of the vegetation that they put in in the first  
19   alternative, and those elements are relatively small and  
20   can be pretty well cycled out.

21                   MS. TRIGIANI:    But is that specified,  
22   Brian, in the Ptemp, that separation?    Because --

23                   MR. BOGGS:    Ptemp specifies the  
24   ballfield.    Ptemp doesn't specify remediation.

25                   MR. BERMAN:    And that's a couple million

1 dollars involved in that.

2 MR. BOGGS: 2.8.

3 MR. BERMAN: Yeah, and -- you know, so  
4 the fifteen million or so might actually be twelve  
5 million, you know, and -- and -- and to me -- I mean,  
6 somehow -- I mean, that's the core of the discussion  
7 there is who -- who's going to supply -- why does that  
8 extra approximately three million have to come from  
9 remediation?

10 MR. BOGGS: It may not, and that's one of  
11 those things that typically if it were a hole that  
12 somebody was digging, they would typically include  
13 filling that hole back in.

14 In this case, it's a ravine that would be  
15 essentially in its natural state. We're not necessarily  
16 in that same situation that you would have a hole that  
17 you can't use, but they're remarking that that Ptemp  
18 requires them to do that, but that's -- like I said, my  
19 agency, our legal department is opting to bow out of it  
20 at this point saying that "it's not our money. We don't  
21 decide how they spend their money," and if these  
22 threshold criteria that Brian had mentioned are met,  
23 that's where our criteria primarily lie.

24 That probably in discussions with Craig,  
25 you know, how that money's allocated might be

1 appropriate.

2 To let you know on one of my -- our  
3 comments, though, is that twelve million that's  
4 estimated for excavation, our agency, we think that  
5 that's low. We think that's underestimated, and if you  
6 look at the risk analysis that's presented, I think  
7 we're closing to what the risk analysis says based on  
8 our evaluation.

9 So we're thinking it's probably closer to  
10 eighteen million dollars without any backfill.

11 FACILITATOR KERN: You know, I wasn't  
12 going to talk about landfill E tonight, but it's come up  
13 and since there's been a judgment made about the cost,  
14 one thing that I was going to bring up at a future  
15 meeting was that there was an attempt made during the  
16 EKI document to suggest that the lower part of the fill  
17 was not very contaminated.

18 I wonder if many of you remember that out  
19 of the document, that the -- and the reason that that  
20 argument was made was because after years of rejecting  
21 the model that the groundwater was not coming up and,  
22 you know, hitting the fill, we finally showed that it  
23 was and the EKI document showed that there were areas  
24 where the fill was being impacted by groundwater coming  
25 up from below.

1 Well -- so in response to that, EKI  
2 suggested that the lower third of this fill was not  
3 heavily contaminated.

4 Well -- I mean, if it's not heavily  
5 contaminated, it's not going to cost eighteen million  
6 because the whole -- on one hand, here's the consultant  
7 saying there's a portion of this that's not heavily  
8 contaminated, and on the other hand, they're saying that  
9 it is, and it could cost twenty million.

10 It's like they're getting it both ways,  
11 and I -- I just -- I see so much resistance around this  
12 site and so -- you know, so many ways of arguing it,  
13 that they're now finally contradicting each other, you  
14 know, themselves.

15 I -- I would like for us as much as we can  
16 to go back to looking at what's the best cleanup for the  
17 site, what makes the most sense and to try to understand  
18 with this very expensive -- potentially expensive,  
19 whether it's cap it in place -- that's like eight  
20 million versus twelve -- and have the discussions around  
21 those issues rather than the ballfield thing.

22 I think our strength would be -- best put  
23 forward is to really look -- go back to the data and try  
24 to figure out, given the hydrology, given the slope, the  
25 foundation potential failing underneath the landfill,

1 all those -- the maximum credible earthquake and this  
2 issue of the ballfield has always -- whatever the site  
3 is going to be, ballfield or -- you know, that's what  
4 we're being told it's going to be. You're getting a  
5 ballfield.

6 Well, we need to really focus on, well, is  
7 that ballfield going to sit right on the ground? Maybe  
8 it's going to be excavated. Maybe it doesn't have to be  
9 backfilled.

10 That's what we've been told, that it needs  
11 to be backfilled, but maybe that's not the case. Maybe  
12 there can be excavation, a small amount of backfill.

13 Maybe that ballfield can fit right on the  
14 bottom of that area, and in other forums, we can look at  
15 whether the ballfield is the appropriate site or the  
16 appropriate thing to be done there, but I think for this  
17 group -- and both sides are arguing, and I think we just  
18 have to come back to the basic issue, which is is that  
19 the best -- what is the best cleanup for the site, no  
20 matter what it's going to be?

21 Because I don't think the ballfield or a  
22 natural restoration really matters that much at this  
23 site for what we're going to do.

24 I mean -- so --

25 MS. TRIGIANI: You're saying the ultimate

1 use does not matter? What we've got to focus on --

2 FACILITATOR KERN: Well, I think the  
3 ultimate -- the area has been classified -- I think it's  
4 residential --

5 MR. ANDERSON: Yeah, it is.

6 FACILITATOR KERN: -- because there are  
7 buildings right next to it. So the cleanup has to be  
8 suitable for residential use.

9 MR. ULLENSVANG: If you look in the  
10 document, the minimum numbers are not different for  
11 different alternatives. The same cleanup level for each  
12 of the alternatives.

13 FACILITATOR KERN: So we have to come  
14 back to the basic principle is when we're gone a hundred  
15 years from now, was the right thing done at the site?  
16 Did we leave all the waste in place? Which I'm not  
17 going to advocate for.

18 Was some really smart decision done where  
19 we didn't put a lot of money at risk? We came up with  
20 some creative solution, maybe some hybrid thing, where  
21 did we decide to excavate it all because that was the  
22 smart thing to do and we have the data to support doing.

23 And that's what I'm going to advocate for.  
24 If we go -- we'll just get wrapped around the pole so  
25 many times if we keep coming back to this ballfield

1     thing at least within this group.

2                 Sorry. I appreciate that, Bob. I mean, I  
3     just think we're going to have to get away from the  
4     ballfield here. I think it's confusing the issue for us  
5     and our strength is going to be recommending to the  
6     Trust in a very strong way strictly on the merits of  
7     what's the best remediation for the site, and we'll have  
8     to let the chips fall where they will on that.

9                 So maybe at the next committee meeting, we  
10    can -- we can attack that again for a certain amount of  
11    time.

12                Anything else, Bob?

13                MR. BOGGS: I just was going to say we do  
14    have a meeting for Baker Beach 1 and 2. Well, this will  
15    play to both. The structural engineer doesn't foresee  
16    problems at landfill E; i.e., engineering sloughing, et  
17    cetera.

18                He did have some big concerns with 1 and  
19    2. That's why we are they're revising that  
20    considerably.

21                Also for Baker Beach 1, this kind of came  
22    up out of some discussions for Yosemite. My  
23    supervisor's actually considering getting a group of  
24    licensed hazardous waste hauling donkeys that he could  
25    use there at Baker Beach 1. They're thinking of using

1    them at both the same High Sierra Camp to haul the waste  
2    pile out of there.

3                   MS. TRIGIANI:    He means donkey animals?  
4    That's not a slang for --

5                   MR. BOGGS:    This is more of a joke.  
6    We're not seriously getting a mule to haul it.  It is  
7    something to consider.

8                   MS. BLUM:    Like goats in the Oakland  
9    Hills.  Donkeys and llamas and goats.

10                  MR. BOGGS:    That's about it.  We're  
11   moving forward with review of the RAP.  We're going to  
12   have a meeting at the end of the month to resolve some  
13   comments with the RAP and the initial study and we'll  
14   probably early next month start to get the initial study  
15   to our CEQA process, and that's about it.

16                  FACILITATOR KERN:   Any questions for Bob?  
17                                Thanks.

18                               Any new business?

19                               I know, Jan, you brought up those reports.  
20   I don't think there's anything.

21                               Action items, there's a bunch of stuff  
22   here.  Still going to go after the FOIA.  There was the  
23   Baker Beach 1 road issue stuff we're going to kind of  
24   follow on to see whether that gets done in February or  
25   track it wherever it goes.



1           For agenda items, Landfill 8 and 10  
2 alternatives in March at the committee meeting.

3           We have the financial report in the March  
4 committee meeting. The February committee meeting,  
5 we've got the project statement for Mountain Lake, and  
6 those are some of the things that I had.

7           We're going to get a report on 207/231, a  
8 cap presentation coming up pretty soon, I guess.

9           MR. FORD: Yeah. I don't think we picked  
10 a date for that. So I need to sort of find out when --  
11 when would be a sensible time. So we'll do that and  
12 come back with a discussion.

13           FACILITATOR KERN: There's been  
14 considerable discussion around this financial reporting,  
15 so at our last committee meeting, for those of you that  
16 weren't there, Dave recommended that he's going through  
17 a process of commenting on the reporting and that that's  
18 going to be done over this next month, and be ready to  
19 be discussed by March at the committee meeting.

20           MR. SUTTER: A lot of it hinges on the  
21 document we've been discussing.

22           FACILITATOR KERN: Right. Okay.

23           MR. SUTTER: I'll have a better -- a  
24 better idea as to timeline at the next committee  
25 meeting.

1 FACILITATOR KERN: Okay.

2 MR. SUTTER: I won't have it at the next  
3 committee meeting, but a better idea of a timeline.

4 FACILITATOR KERN: Another action item  
5 that I would ask you to look at is this document and  
6 read through it, see if you're going to feel like you're  
7 going to want to sign on to it and I'll send it out via  
8 e-mail.

9 Any other things before we close tonight?  
10 Yes.

11 MS. PASSERO: I'm just wondering at the  
12 next committee meeting, if we'd be able to talk about  
13 subcommittees. I thought we talked about it a few  
14 months ago.

15 FACILITATOR KERN: Very good.

16 Anything else?

17 Then I thank you for coming out tonight,  
18 appreciate your participation, and without objection,  
19 the meeting adjourned.

20 (The meeting adjourned at 9:54 PM).

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MARCH 8, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

## ATTENDEES

1  
2 RAB Members:  
3 Doug Kern, Facilitator  
Mark Youngkin  
4 Brian Ullensvang  
Peter O'Hara  
5 Craig Cooper  
Jim Ponton  
6 Sara Segal  
Gloria Gee  
7 Sam Berman  
Jan Monaghan  
8 Julian Hulgren  
Michelle Passero  
9 Jan Blum  
Mary Trigiani  
10 Tracy Wright  
Jerry Anderson  
11 David Sutter  
Edward Callanan  
12 Bob Boggs  
Julie Cheever  
13 Karen Cleek  
Steve DiStefano  
14 Bob Boggs

15  
16 ---o0o---  
17  
18

19 BE IT REMEMBERED that, pursuant to Notice  
20 of the Meeting, and on March 8, 2005, at the Officer's  
21 Club, Building 50, Presidio of San Francisco,  
22 California, before me, MARK I. BRICKMAN, CSR No. 5527,  
23 State of California, there commenced a RAB meeting under  
24 the provisions of the Presidio Trust.

25 ---o0o---



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1 FACILITATOR KERN: Welcome, everyone to  
2 tonight's meeting of the Presidio Restoration --  
3 Presidio Restoration Advisory Board for March 2005. I'd  
4 like to welcome everyone tonight from the Presidio  
5 Trust, contractors, National Park Service, regulatory  
6 community, community RAB members and any members of the  
7 public that are here, welcome tonight.

8 Any -- I think there are a few agenda  
9 items that I'd like to add. We've got some -- probably  
10 some announcements around our RAB member Joel Herman.

11 I'd like to talk a little bit about that  
12 and make sure that we have everyone that's going to be  
13 here tonight is here.

14 So I might postpone that until after our  
15 working group discussions. We usually have everybody  
16 here by around 7:30.

17 We have some working group things and  
18 along the way I try to work out something with Craig,  
19 but tonight there will be a little bit of a change in  
20 how we do the agenda. The technology didn't quite seem  
21 to work out.

22 MR. COOPER: Okay.

23 FACILITATOR KERN: But we'll manage.  
24 We'll model it for the future.

25 Are there any other changes or additions

1 to tonight's agenda?

2 All right. Are there any announcements?  
3 Old business?

4 Let's go on to our planning committee  
5 report.

6 MR. YOUNGKIN: Thank you, Doug.

7 The planning committee met on February  
8 24th, our usual fourth Tuesday meeting. We kicked off  
9 the meeting with a discussion of Mountain Lake and we  
10 talked about the Tee grant and the discussion revolved  
11 around forming a working group to sort of explore other  
12 avenues of funding sources.

13 Michelle brought up some ideas for funding  
14 sources from the state level, so we might even talk  
15 about that subject tonight, I think, right? The working  
16 groups.

17 FACILITATOR KERN: We'll talk about the  
18 working groups.

19 MR. YOUNGKIN: And then we moved on to  
20 the mustard gas issue. The Army has issued a letter  
21 dated February 24th -- whoops. Dated February 14th,  
22 2005.

23 They responded to the archive search  
24 report they did. They did like a preliminary risk  
25 assessment of the archive search report. They've come

1 up with a three-page table of sites and recommended  
2 actions.

3 They have three potential mustard gas  
4 sites they're recommending further action on, and they  
5 have a lot of sites marked as no further action.

6 So we talked about renewing their no  
7 further action sites and seeing if we agree with those  
8 and commenting on their letter and table.

9 And we moved on to RAB 3 comment letter.  
10 We had a pretty long discussion of that, and the results  
11 are the copy of the latest revised comment letter that  
12 everybody has a copy of now.

13 And our next meeting will be March 22nd.  
14 I hope to see all you there.

15 Thank you.

16 MR. BERMAN: Could I add just one thing  
17 about the Army report?

18 I think we also thought that the pages  
19 might have been part of a larger report, and Craig was  
20 going to check into that to see whether there's really a  
21 report that we can get a hold of, and so maybe he would  
22 comment on that.

23 MR. COOPER: Yeah. I did check into it.  
24 We can talk about it now or just slide my monthly update  
25 and we can talk about it then, as well. Later?

1 FACILITATOR KERN: Any other questions  
2 for Mark? Peter.

3 MR. O'HARA: Mark, if I could jump to the  
4 issue of funding. I don't know whether this is the  
5 appropriate time to talk about the -- the grant  
6 proposals for Mountain Lake.

7 What's the -- what is the -- the funding  
8 objective in terms of dollars?

9 MR. YOUNGKIN: It would be the cleanup of  
10 the sediment in the lake.

11 MR. O'HARA: The quantity of dollars.

12 MR. YOUNGKIN: I believe three million is  
13 the ballpark figure we're talking about.

14 MR. COOPER: Three to four million.

15 MR. YOUNGKIN: Three to four million  
16 dollars.

17 MR. COOPER: But yeah. In the ballpark  
18 of that.

19 MR. O'HARA: Okay. Thank you.

20 MR. BERMAN: But the Tee grant is much  
21 smaller than that.

22 MR. COOPER: The Tee grant is not for the  
23 sediment cleanup. Just for storm water issues, yeah.

24 FACILITATOR KERN: Very good. Thanks,  
25 Mark.

1           Working group discussion. What is this  
2 item? In the past, we've utilized working groups to  
3 good effect, and it seems that we're coming up with a  
4 variety of decision documents tracking a lot of  
5 different issues these days.

6           Some of them would fall under sort of an  
7 administrative category such as the Freedom of  
8 Information Act request that's out there waiting to be  
9 responded to by the Department of the Interior, the cost  
10 tracking, a number of those kinds of things, Mountain  
11 Lake, specific sites, and so we've been talking around a  
12 little bit about forming some working groups to kind of  
13 track those issues.

14           And so I wanted to begin to identify at  
15 least two working groups that I'm going to propose and  
16 see if anyone will actually sign up.

17           One is Mountain Lake. We've had a long  
18 process with Mountain Lake, and Michelle has done a huge  
19 amount of work in getting that going, and then we've  
20 generated our -- our resolution here at the RAB, and  
21 there's a lot of interesting things developing in  
22 Mountain Lake and a lot of opportunities in how we might  
23 help out the remediation department with making sure  
24 that this site gets funded.

25           And so Michelle's identified and passed

1 word to Craig a number of possible bills to look at, and  
2 it seems that the RAB can also do additional homework  
3 and nudging in this process.

4 So Mountain Lake would be a good candidate  
5 to have two or three people working on it, tracking it,  
6 following up.

7 The other one that I'd like to propose  
8 that we begin to get going would be what I would call an  
9 administrative working group.

10 That would work on the cost tracking, look  
11 at the format of things coming out. I know Dave's been  
12 really interested. I'm hoping he'll participate in this  
13 working group. The Freedom of Information Act request,  
14 things of that nature would all fall in that working  
15 group.

16 I would hope that the -- the structure of  
17 these be pretty informal, that people would meet and  
18 discuss and then bring things to the RAB committee  
19 meetings where we discuss proposals and then bring them  
20 forward to the -- the full working RAB meetings for any  
21 kind of decision-making or recommendations that might  
22 come out of it.

23 The principal idea of these is just to  
24 have some people really tracking these issues and paying  
25 more attention to them.

1           So those would be two to get the process  
2 started and see how they work. We know they work pretty  
3 well as far as looking at all the sites we've done in  
4 the past, but this is a little bit different.

5           We have a pretty focused group from  
6 Mountain Lake, because it seems like there's just a lot  
7 of potential there for it. But the administrative one  
8 is another area that it's just a good catch area to  
9 track.

10           So that's how I would start the proposal,  
11 and if anybody has any comments at this point or would  
12 like to say, "I would like to join one of these groups,"  
13 this would be a good time to say something.

14           Jan.

15           MS. BLUM: I would like to ask you a  
16 question. I think we have other working groups in  
17 effect and maybe we could renew those and see who else  
18 is available.

19           FACILITATOR KERN: We have had other  
20 working groups that were organized by watersheds. The  
21 Tennessee Hollow watershed and all the sites that fit in  
22 there. The Fort scott, the coastal bluffs and Lobos  
23 Creek.

24           So all the sites in the Presidio fit  
25 within those, and those worked to good effect for the



1 process of feasibility study.

2 But now it seems to me that as we go off  
3 into the different remediation action planning  
4 documents, the -- the sites follow out of these working  
5 groups. They get spread around into all the working  
6 groups.

7 So it doesn't seem to me that organization  
8 quite fits with what's coming, the different decision  
9 documents.

10 MS. BLUM: Where does membership and  
11 communications or whatever fall into this working group?

12 FACILITATOR KERN: Well, we have had a  
13 selection committee in the past --

14 MS. BLUM: Oh, good.

15 FACILITATOR KERN: -- that Jan has kind  
16 of headed up, Jan Monaghan, and just as attrition comes  
17 along, that group kind of reforms and people get  
18 together and get together with the trust staff and get a  
19 plan together to send out notices and all of that,  
20 review all the applications and present a slate to the  
21 RAB for selection.

22 So that's kind of a standing group, but it  
23 doesn't meet all the time, and so we have a need. So  
24 these things kind of get formed and then as needed, on  
25 an as needed basis.

1 I don't know if that answers --

2 MS. BLUM: Well, I think my working group  
3 discussion that you're talking about, the kind of  
4 technical evaluation of the RAPs and following through  
5 with other -- with more of the hard work that we do  
6 rather than all the committees.

7 FACILITATOR KERN: Yeah. I think you'll  
8 also see with a proposal about the agenda coming up that  
9 we're going to try out perhaps a new way of tracking the  
10 sites, and I'll speak to this in a little bit, but it  
11 seems that from meeting to meeting, we'll go -- proceed  
12 through with Craig's report on a variety -- on a variety  
13 of sites, and depending on the evening, we may or may  
14 not have a set of prepared questions to respond to  
15 Craig's report. We're just listening to it and  
16 responding to it as we can.

17 So what I tried to work out with Craig  
18 with respect to tracking individual sites tonight would  
19 be our own sort of Power Point slide for a particular  
20 site that may be on the agenda with questions that will  
21 come up that we have and that we might submit those to  
22 Craig say a week in advance of the meeting.

23 He can prepare his presentation as he  
24 usually does around some of these questions, and then we  
25 would have the slide that we could throw up on the

1 screen and the discussion could at least center around  
2 some of our questions.

3 So trying to get ahead of the curve a  
4 little bit on the questions, and then we could actually  
5 put some of the responses in a slide of some kind with  
6 the date and any action items, and as that particular  
7 item comes up again -- that site, for example -- we  
8 could pull up the slide, see where we were.

9 It could have been two months ago, six  
10 months ago. This is where the RAB was. This is the  
11 kind of questions we were asking and it would refresh  
12 everybody's memory.

13 It might even have a slide in there  
14 showing location, because I think there's so many sites  
15 that it just becomes a little bit of a blur unless we're  
16 working with them all the time.

17 So it seems if we can get a little bit  
18 more ahead of the curve with working groups and then  
19 this agenda shift where we pose questions ahead of time  
20 to Craig about a particular site, a site that he's going  
21 to want to report on, anyway, we'll have a discussion  
22 and record some of our thoughts.

23 That could be a way to respond to the  
24 RAPs, and if there becomes a particular site within  
25 those that requires additional attention, we could form

1 a working group around that to really get into the  
2 technical details.

3 It seems like Mountain Lake is ripe for a  
4 working group. The -- I know Dave's been working a lot  
5 on the financial cost tracking system. There's a good  
6 amount of work for a working group there.

7 I could see eventually working groups  
8 maybe for the landfill E site and any other site that  
9 comes up that seems -- we just have to really dig into  
10 this, but I thought we'd start with -- with a couple,  
11 see how they work, and then also this agenda change.

12 MR. CHEE: Can I make a quick  
13 announcement?

14 My name is Tung Chee, by the way. I will  
15 be taking some pictures on behalf of the Presidio Center  
16 because Doug is actually selected by the Presidio Center  
17 as one of the community heroes for 2005, so I'm here to  
18 show Doug, his work in progress and -- if everybody's  
19 okay with that idea.

20 All right.

21 (Applause).

22 FACILITATOR KERN: Thank you.

23 Dave.

24 MR. SUTTER: Yeah. Regarding the cost  
25 reporting. As you mentioned, I've been continuing to

1 work on that, and I'd like to --

2 MS. GEE: Can you speak up?

3 MR. SUTTER: I'd like to ask anybody else  
4 who's interested to jump in. In particular, I'd like to  
5 request your assistance, Doug, as we've discussed, and  
6 I've spoken with Craig and it seems like what would be  
7 useful at this point is for the RAB working group,  
8 myself and hopefully you and anybody else who's  
9 interested to sit down with Craig and Alan in a working  
10 session to go over the cost reporting systems as  
11 developed to date and to just check -- check up, follow  
12 the progress of it, provide input to discuss with them  
13 if it's -- if it's meeting the criteria that we agreed  
14 upon and how to -- and how to improve it, et cetera.

15 So that's my suggestion at this point, and  
16 of course I would welcome anybody who'd want to -- who  
17 would want to participate along with me and yourself, if  
18 you can do so in developing this -- this working session  
19 process with Craig and Alan.

20 I think it would be very helpful rather  
21 than doing a full RAB review and -- and of course the  
22 idea would be at specific milestone points, the group  
23 would report back to the overall RAB as to where the  
24 process is at and solicit RAB comments and review and  
25 input, as well.

1 FACILITATOR KERN: Yeah. I agree with  
2 that, Dave, and I probably would be part of all these  
3 working groups just to help and to facilitate.

4 So I'll definitely be working with you on  
5 that, and I would encourage any of you that are  
6 interested to, you know, either talk to me after or send  
7 us an e-mail and we'll -- you know, we'll form this  
8 group.

9 And with respect to Mountain Lake, I think  
10 there are a large number of opportunities. We just  
11 don't know how things are going to work out in the  
12 future, but there may be some public strategy that the  
13 RAB may want to do down the road to assist the trust in  
14 their discussions with Caltrans about receiving funding.

15 And it doesn't -- I'm not necessarily  
16 saying the strategy would be confrontational with  
17 Caltrans, but if there would be a way of attaching funds  
18 on certain appropriation bills such as Michelle's  
19 identified and helping the trust with those kind of  
20 strategies, I think it would be very constructive and  
21 we're looking to restore that resource.

22 So that -- the voice is doing something  
23 today.

24 That particular work, though, takes some  
25 focused energy, and we really need, you know, a couple,

1 three people at least to share that load on Mountain  
2 Lake.

3 So I'd encourage you to jump in on that,  
4 as well.

5 Any other thoughts or questions about this  
6 idea?

7 So I won't -- I'm not going to ask you  
8 publicly to volunteer, but I -- I might give you a phone  
9 call, to those of you that have expressed interest in  
10 the past about particular subjects to see if you'd be  
11 interested in participating, and if not this round,  
12 maybe a working group down the road.

13 All right. So without any further adieu,  
14 I think we probably have most of our members here. I  
15 think it's appropriate to spend a few minutes talking  
16 about Joel.

17 For those of you that have not heard, Joel  
18 Herman did pass away, and I think I would read a note  
19 that we got from his wife, and then we might have an  
20 opportunity to discuss a little bit about what the RAB  
21 could do.

22 "Hello, everyone. I'm Joel Herman's wife,  
23 Polly Rose. I'm not sure if you know Joel has been very  
24 ill with gastric cancer and has thus been inactive for  
25 some months. He died Thursday, March 3rd peacefully and

1 at home.

2 "In the time we moved to San Francisco in  
3 1997, the Presidio's been of great interest to him. Our  
4 family would like to channel memorial gifts to some  
5 aspect of the restoration preservation work going on at  
6 the Presidio.

7 "Could you give me some guidance on what  
8 areas are open for donations, what specific needs are  
9 and who I should discuss this with?

10 And I think she's already received some  
11 responses. She's -- I think Craig has sent her a  
12 message suggesting that she contact the Golden Gate  
13 National Parks Conservancy, and have there been any  
14 other suggestions at this point? Jerry.

15 MR. ANDERSON: Well, it seems like -- to  
16 me like it would be appropriate to do something rather  
17 than just support the ongoing program.

18 The one that kind of fits in with that is  
19 there had been talk about at some point when enough is  
20 known about the problem to develop a memorial at the --  
21 at the cemetery by the Public Health Service Hospital,  
22 and I assume any significant expense on the memorial  
23 will be outside of the restoration budget and they might  
24 be able to use outside funds.

25 FACILITATOR KERN: Thank you. Jan.



1 MS. BLUM: I also received the memo from  
2 Mrs. Herman, and while we have directed her to the  
3 conservancy, I think it would be appropriate to call  
4 Mrs. Herman directly rather than have -- since she  
5 started with us -- and I'd be happy to volunteer -- to  
6 see if she's already reached this person.

7 I mean, I felt like we need to put that  
8 person in touch with her rather than her have to phone  
9 around.

10 FACILITATOR KERN: Mm-hmm.

11 MS. BLUM: So I'm wondering if we should  
12 make a stronger effort to follow up with Mrs. Herman and  
13 find out if she has contacted the right person and if  
14 she needs help in the process, maybe other questions she  
15 would like to ask. Is she satisfied with the answers  
16 she got. How is that sitting with her sensibility of  
17 what she has in mind, which I'm sure she has something  
18 in mind. So I think that would be a good thing to do.

19 Sort of an interpreter with the  
20 conservancy who may just see it as another check writing  
21 event, and I just want to be sure that we do everything  
22 we can to help her get her wishes.

23 MR. COOPER: I did send an e-mail to  
24 Audrey Yee at the parks conservancy with the point of  
25 contact for people to make donations. So Audrey does

1 know that -- you know, the circumstances of this if  
2 Mrs. Herman does call about -- she at least knows the  
3 story about why she's calling and kind of the context of  
4 Joel a little bit.

5 But I hesitated to call her just because,  
6 you know, it's a sad time and an e-mail is just kind of  
7 a way for people to kind of take action that -- you  
8 know, she's processing a lot of things and thinking  
9 about the parks conservancy might be fairly low on her  
10 list right now.

11 That's why I hesitate in calling someone  
12 at least at this point in time.

13 MR. HULTGREN: If we have a -- if we  
14 haven't done so already, I think the RAB should send a  
15 letter of sympathy. Probably the trust could do the  
16 same thing.

17 MS. CHEEVER: Well, I brought a card  
18 tonight that we could send if people would like to sign  
19 it with a couple of lines, or do you picture a more  
20 official type of thing?

21 MR. HULTGREN: Well, I would still  
22 suggest a letter.

23 MS. PASSERO: Maybe both, because a  
24 card's like a personal --

25 MS. CHEEVER: The card is a picture of

1 Hetch Hetchy Canyon.

2 MR. HULTGREN: It's more individual, but  
3 I think the RAB should go on record as extending  
4 sympathy.

5 MS. TRIGIANI: I agree.

6 MS. CHEEVER: To do both or --

7 MS. TRIGIANI: Both.

8 MS. CHEEVER: If the card is okay with  
9 people, I'll pass it around. Mark can sign it first.

10 MS. WRIGHT: Thanks, Julie.

11 MS. PASSERO: I'm just wondering. I  
12 didn't know Joel, but in his discussion in the RAB -- if  
13 there's something that can be done that sort of ties to  
14 the RAB, as well.

15 Maybe there's multiple things, you know,  
16 and I think what Jerry was describing is a good idea,  
17 but if there's something in the discussions of the RAB  
18 meeting where he highlighted certain points of interest,  
19 maybe we'd be able to tie something in with his  
20 discussion, whatever he's mentioned that's important to  
21 him.

22 I think maybe his wife can give some sort  
23 of feedback like that.

24 MS. BLUM: That's right.

25 MS. CLEEK: I'd just want to do

1 something. I don't think you do want to delay in  
2 getting in touch with her. This is the period where  
3 people would like to ask her, and we'd like to do  
4 something in memory of Joel.

5 Where would you like us to send something?  
6 Because it's only been a very few days and she's already  
7 asking these questions, and you might actually be  
8 helping and facilitating her if you can help her get an  
9 answer to that one question, at least.

10 MR. COOPER: My e-mail did do that.

11 MS. CLEEK: But that's assuming that she  
12 wants to use the Golden Gate Conservancy, and I just  
13 think that, you know, maybe she would like to talk with  
14 you since you volunteered to do it.

15 MS. BLUM: I just feel like we have to  
16 follow up and be an intermediary, because as you say, I  
17 may be very low on her list of things to do, and because  
18 we work closely with all the remediation sites, we do  
19 have inside information on what may be important and  
20 maybe we can help the conservancy look at it a different  
21 way rather than just a check to goes into the  
22 restoration projects as a whole.

23 MR. COOPER: Maybe meet with Audrey first  
24 to see what potential projects are out there, and then  
25 we'll have a recommend -- options for her to consider,

1 but a brochure, you know, that we could send her.

2 Is there some kind of brochure that the  
3 parks conservancy --

4 MR. ULLENSVANG: I think it's better just  
5 to talk and see what -- anyway, talk with the  
6 conservancy and see what options there are.

7 It's certainly not the first time someone  
8 wanted to direct memorial gifts and give a contribution.  
9 See how it works and someone get back to her.

10 MR. COOPER: We can call her and then  
11 have some specific recommendations. The e-mail tells  
12 her we'll make a phone call. We'll call back with  
13 specific ideas.

14 FACILITATOR KERN: Yes, Julie.

15 MS. CHEEVER: We're actual colleagues, so  
16 I hereby would like to move that we delegate Jan as  
17 representative of the RAB to use her wonderful people  
18 skills and call Mrs. Herman and say the right thing to  
19 her and do as you said, act as an interpreter.

20 Jan, you also sent an e-mail to one or two  
21 people with another idea that I thought was nice.

22 MS. BLUM: Well, it occurs to me this is  
23 a perfectly wonderful opportunity to kick off the  
24 daylighting of the first tennessee Hollow daylight  
25 effort and maybe we can do something around fill site 6A

1 as a starting place and perhaps it will probably be next  
2 year.

3 I think we're past the planting season  
4 now, so it would be next year, and maybe the RAB will go  
5 out and plant on behalf of Joel Herman, and we could  
6 invite the widow and her family to come out at a time  
7 that would be appropriate to her.

8 MR. FREY: No. There's going to be maybe  
9 a third landscaped area and two-thirds -- and the plants  
10 will go in as soon as possible after excavation with  
11 irrigation.

12 MS. BLUM: That would be a really stellar  
13 event. Because it will be the first highlighting of  
14 Tennessee Hollow. I think I would like that. Maybe  
15 that will be something special for her.

16 FACILITATOR KERN: I also support Julie's  
17 suggestion.

18 Would there be any objection to having Jan  
19 proceed as she's indicated?

20 MR. ANDERSON: So moved.

21 FACILITATOR KERN: Great.

22 MR. BERMAN: Can I ask a question? Was  
23 Joel involved with the conservancy at all or was his  
24 only involvement with the Presidio in any formal fashion  
25 just with the RAB?

1 FACILITATOR KERN: I'm only aware of his  
2 role with the RAB. That's all I know, but I don't know  
3 that he wasn't.

4 MR. BERMAN: So, you know, I would  
5 suggest to Jan if it's appropriate to find out a little  
6 bit more about his relationship with the Presidio and --  
7 and if it was only -- if it's specifically only with the  
8 RAB, I would just wondering whether the conservancy is  
9 really the right -- the right organization and that we  
10 should maybe put on our thinking caps and figure out,  
11 you know, something which is a little more personal from  
12 his -- from his involvement if it is the RAB only.

13 FACILITATOR KERN: Yes, Mark.

14 MR. YOUNGKIN: If it's something  
15 associated with landfill 8, the marine cemetery, they  
16 can take donations and it might be more appropriate to  
17 go through Michael Boland, who's in charge of land  
18 review for the trust.

19 MS. PASSERO: I don't think I seconded  
20 what Jerry said, but I'll do that.

21 FACILITATOR KERN: It's been moved and  
22 seconded that we have Jan be our liaison to Miss Herman  
23 and that she take care of all these questions on our  
24 behalf.

25 Any discussion? All in favor, say aye.

1 FACILITATOR KERN: Opposed?

2 Motion carries. Thank you, Jan.

3 All right. So thank you for -- for that  
4 moment, and we certainly want to move ahead on our  
5 meetings.

6 Knowing that about Joel, he didn't have a  
7 lot of comments, but when he did, it was right on the  
8 money and really cut through.

9 So I think we're ready to move on to item  
10 5 and building 1349, and part of what I was trying to  
11 get going with Craig on building 1349 was to add into  
12 the presentation some questions that came from us, and  
13 since none of you knew that this was kind of really  
14 coming, I offered some initial questions and I'm hoping  
15 this will seed future questioning asking ahead of future  
16 agendas, but here are the questions that I had for Craig  
17 that I don't think he actually received yet via e-mail.

18 Never got it?

19 MR. COOPER: No.

20 FACILITATOR KERN: Okay. Where is  
21 building 1349? That's going to like probably always be  
22 on the list. Where in the heck is this place? And  
23 why -- at least in this case, why would building 1349 be  
24 called a building since it wasn't a building? What has  
25 been accomplished there previously? What are the



1 difficulties with groundwater at this site? That's a  
2 specific question that I happen to know that there's  
3 some issues.

4 How will the site be addressed? What are  
5 the remedies that we're considering? So there's just  
6 some broad questions that we would then pass along.

7 I'm sure he would incorporate most of  
8 those in his presentation. He could bring those up and  
9 attach them to a slide with a date and any action items  
10 and then be able to recall that slide at a future time.

11 So Craig, over to you.

12 MR. COOPER: Okay. I think that's a  
13 great idea, by the way, asking questions in advance,  
14 especially if I sent out a draft list of ideas for  
15 upcoming RAB meetings, both committee and RAB, potential  
16 topics, and so maybe a couple weeks before a RAB  
17 meeting, Mark and I could talk and say, "Okay. Lock it  
18 in on these agenda items," because some agenda items  
19 might flow and then you guys can send your questions in  
20 advance. Great idea.

21 Okay. Tonight. Building 1349, and with  
22 me tonight is someone from my staff, Jennifer Yata. I  
23 think the last time she was here, she was probably  
24 called Jennifer Coate, and so I know that you all are  
25 probably tired of listening to me all the time, so one

1 of my new strategies is to bring people from my staff  
2 and have them come and present various topics in the  
3 Presidio remediation program.

4 I think last year Ryan Seilbach came and  
5 talked about a project, and he'll be coming back again  
6 later on this year.

7 So Jen is going to talk about the building  
8 1349 area corrective action plan, and a little bit of  
9 background about Jen, if you don't know her.

10 She's a geologist and she's actually been  
11 working on remediation issues at the Presidio since  
12 1992, and she started with the trust in December of  
13 1999, and she has seen this particular project, the 1349  
14 area, and working with Jim and Brian through the site  
15 investigation, where to look for the contamination,  
16 analyzing the data report that came in and then  
17 developing the corrective action plan.

18 So I'll let Jen take it from here. I  
19 guess I should --

20 MS. YATA: Good evening. I think I  
21 should probably start with saying that building 1349  
22 does not exist. That's about as good as it gets.

23 There are handouts on the table as you  
24 came in with this presentation. If you didn't get one,  
25 it might be easier to following along with something.

1           Okay. Building 1349 draft CAP is hot of  
2 the presses. We just submitted it for stakeholder  
3 review. We just got it out, and one or two copies has  
4 been distributed to the RAB, and I have copies on CD  
5 available this evening to pick up as you leave if you  
6 would like one.

7           Okay. Moving right along, I believe some  
8 of the slides will answer some of the questions Doug  
9 had, and if not, we can follow up as we finish.

10           Presentation topics. Basically what is  
11 the Corrective Action Plan? Where is building 1349, the  
12 history of it, what was used there and what our approach  
13 will be for remediation of this site.

14           Okay. What is CAP? Just to recap what's  
15 going on, we have other CAPs on the Presidio, so you'll  
16 be hearing this term, corrective action plan, and this  
17 is the petroleum programs regulatory decision document.

18           The Regional Water Quality Control Board  
19 is the regulatory agency for CAPs, and here at the  
20 Presidio, the CAPs are required by task six of our  
21 regional board members.

22           Okay. I know you probably can't see the  
23 map on the screen in detail. Don't worry. It's okay.

24           As I'm sure you're aware, this is the  
25 general outline of the Presidio. This 1349 site is

1 located on the western part of the Presidio and it's  
2 bounded by streets Washington, Harrison and Coby.

3 It's at the divide of the marina and  
4 coastal bluffs groundwater basin. It's a topographic  
5 high point, and yes, Doug is correct. There are very  
6 interesting groundwater issues for the site.

7 Building 1349 was a former fuel oil tank.  
8 It was a 100,000 gallon fuel oil above-ground storage  
9 tank known as an AST, and that was demolished, and like  
10 I said no longer exists.

11 It is now a wooded area in the  
12 intersection of Harrison, Coby and Lincoln.

13 MR. COOPER: Everybody clear on the  
14 location? Across the street from former fill site 5.  
15 Okay.

16 MS. YATA: Okay. Past site uses.  
17 Building 1349. The original tank at the site was built  
18 in 1906 and held fuel oil. Barges came and docked at  
19 the pier, pumped fuel oil up and then it went through a  
20 gravity feed system in the Presidio to various houses in  
21 this tank.

22 This tank was replaced in the '50s with a  
23 100,000 gallon tank and the associated fuel oil piping  
24 under it to transport the fuel oil.

25 When they stopped using fuel oil as a

1 heating source in the Presidio, they converted the tank  
2 usage to diesel storage, and there was a diesel  
3 dispensing structure associated with the site which you  
4 will see on maps in the document review, so that the  
5 primary contaminants of the area are petroleum, fuel oil  
6 mainly.

7 MR. ANDERSON: Jen?

8 MS. YATA: Yes.

9 MR. ANDERSON: What pier was this?

10 MS. YATA: There is a name for it.

11 MR. ULLENSVANG: Torpedo Wharf.

12 MS. YATA: Past site actions. I think  
13 this was one of Doug's questions earlier. This is a  
14 very brief bullet list.

15 There have been numerous site  
16 investigations of this area to assess soil  
17 contamination, potential groundwater contamination.  
18 Starting -- the site was discovered in 1992.

19 Somebody smelled diesel, and the first  
20 investigations were in 1993 and 1994 performed by  
21 Montgomery Watson, a contractor for the Army.

22 Site investigations. In 1995, building  
23 1349, which is the above-ground storage tank, was  
24 removed, and there was some soil removal at the same  
25 time to get gross contamination that was observed at the

1 time of tank removal.

2 I think it was approximately a thousand  
3 cubic yards or so, but it's in the document.

4 1996, a Phase III additional site  
5 investigation was performed by Montgomery Watson.  
6 Again, more soil and groundwater sampling and site  
7 sterilization.

8 1996 and 1997, the FDS removal, which is  
9 the fuel distribution system that was associated with  
10 the tank was removed Presidio-wide, including the 1349  
11 area by IT Corporation, a contractor for the company.

12 In 1998, Montgomery Watson performed an  
13 additional FDS investigation. There's a section of  
14 pipeline on the west side of the site that they weren't  
15 sure where it existed, and that was the activity for  
16 that, and then 2002/2003, the trust enters the picture  
17 and we did Phase I and Phase II site investigations to  
18 collect data so we could prepare this CAP to address the  
19 site contamination and get fresh data.

20 Site contaminants. The most recent site  
21 investigation performed by the trust backs up basically  
22 what was observed before.

23 The soil contaminants at the site are  
24 primarily total petroleum hydrocarbons as diesel and  
25 fuel oil, and PAHs, component of the oil.

1           Groundwater contaminants are primarily TPH  
2   diesel, gasoline, benzene, PAHs, pesticides and arsenic.

3           Okay. I know you can't see this. This is  
4   a figure from the report that you have an opportunity to  
5   review. This is figure 5.1. I wanted to put this up to  
6   show in broad strokes where our activities will be.

7           We have a soil excavation plan. I'm  
8   jumping a lot of steps here, so bear with me. If you  
9   need clarification, don't hesitate to ask.

10           MR. COOPER: This is where the soil  
11   contamination has been.

12           MS. YATA: Yeah. This is the areas in  
13   the CAP we will be addressing, cleaning up.

14           The green blob in the center, this is the  
15   perimeter is one soil unit which will be excavated, two  
16   small soil excavations which were related to the  
17   pipelines to the tank.

18           This small soil excavation, which we  
19   believe is related to the diesel dispensing structure,  
20   and this blue area at the bottom, which is part of a  
21   telecommunications corridor.

22           During the 1995 work, the interaction by  
23   IT from the previous slide, they were unable to excavate  
24   this soil due to the sensitivity of the fiber optic or  
25   telecommunications line that went through.

1           This line has recently been changed and is  
2   now a new fiber optic line for the trust so we have more  
3   flexibility to either relocate the line out of our way  
4   to excavate the material or -- I mean, it's not  
5   sensitive. We can dig under it.

6           MR. BERMAN:    Could you point out --  
7   excuse me.

8           MR. COOPER:    I was just going to get  
9   folks oriented to the site.

10           Could you point where Washington Boulevard  
11   is?

12           MS. YATA:     Washington Boulevard is here.

13           MR. COOPER:    Fill site 5 is across the  
14   street?

15           MS. YATA:     Fill site 5 is down here.

16           MR. BERMAN:    Where is the groundwater  
17   sampling done? Can you show it on that diagram?

18           MS. YATA:     There are various wells  
19   associated with the site. There are wells around the  
20   perimeter.

21           The one with the most contamination is  
22   in -- immediately adjacent to the telecommunications  
23   area, but there are wells completely around the site as  
24   well as downgradient to monitor the fill site 5, and  
25   even further downslope on Lincoln Boulevard and



1 continuing down the slope now associated with our  
2 landfill remediation site Baker Beach 3.

3 MR. BERMAN: So this -- these wells have  
4 got to be pretty deep; right? Because this is up fairly  
5 high --

6 MS. YATA: Yeah.

7 MR. BERMAN: -- to start out with.

8 MS. YATA: In the report, we have  
9 geologic cross-sections as well as depth to groundwater  
10 at the various areas.

11 Like I said earlier, this is a topographic  
12 high with some water flowing this way to the marina base  
13 and some water flowing this way to the coastal bluffs.

14 MR. ULLENSVANG: The water's about 25 or  
15 thirty feet deep.

16 MS. YATA: On average.

17 MR. ANDERSON: How deep is the  
18 contamination?

19 MS. YATA: Primarily shallow. The green  
20 areas are shallow contamination. I'll have to look at  
21 the details. Maybe five to eight feet. Less than ten  
22 feet. Deeper contamination here in this small area.

23 Brian, do you remember what it was?

24 MR. ULLENSVANG: I think the sample said  
25 about fifteen feet.

1 MS. YATA: Fifteen feet for the deepest  
2 contamination.

3 MR. BERMAN: So is the -- is the known  
4 contamination sufficiently distant from the groundwater  
5 or is there actually contact between the contamination  
6 and the groundwater?

7 MS. YATA: We have seen some TPH diesel  
8 in groundwater. In the report we have a pretty  
9 extensive section on the hydrology and hydrogeology of  
10 the area, and there's a lot of fractured flow through  
11 weathered bedrock which does make characterization  
12 difficult, and there are assumptions applied.

13 For the most part, I think there's not  
14 much contamination, but we have seen diesel in  
15 groundwater.

16 Okay. Let's see. I don't know if it's  
17 more appropriate -- okay. If you can go in our mind  
18 that was just up.

19 This is a summary of what you just saw.  
20 The volume we're looking at is approximately 2,100  
21 square feet, and -- which is equivalent to approximately  
22 779 cubic yards of material.

23 The deep soil, the one area I pointed out,  
24 which is approximately thirty yards of contamination,  
25 and the telecommunications conduit is approximately 640

1 square feet, equaling approximately 38\0 cubic yards of  
2 contaminated soil.

3 FACILITATOR KERN: And Jen, could you  
4 give us a comparison of those amount of yards for like  
5 Baker Beach 3, how many yards did we have?

6 MR. COOPER: A perfect question to ask.  
7 Jen was the trust's construction manager for the Baker  
8 Beach 3 cleanup, by the way. I should have said that in  
9 her -- she was out there everyday. As Baker Beach 3 was  
10 getting dug up, she was the person.

11 So what was the total volume of --

12 MS. YATA: Of course now I can't  
13 remember. It was the same. 500,000.

14 MR. STRINGER: 489,000.

15 MS. YATA: From my memory, which doesn't  
16 work very well, I think it's 58,000 cubic yards,  
17 approximately.

18 MR. COOPER: Right. So just to  
19 compare -- that's a good point, Doug. If you add up the  
20 cubic yards in this contaminated soil on this project.

21 MS. YATA: It's like 1,200.

22 MR. COOPER: Baker Beach 3 was 58,000, so  
23 smaller volume.

24 MS. YATA: Okay. I kind of jumped ahead.  
25 I talked about how we were going to excavate and, you

1 know, what our plan was. I didn't go through the  
2 process of how we evaluated different technologies or  
3 how we would address areas of contamination on the site.

4 So the CAP process does work through  
5 different alternatives on how to address contamination,  
6 and just briefly for the soil contamination areas, the  
7 alternatives are no action, excavation off-site  
8 disposal, capping, which is applying some barrier  
9 between surface and the contaminated zone, land use  
10 controls, which limit what you can and can't do at the  
11 site, and in situ treatment through various  
12 technologies.

13 Our groundwater alternatives were no  
14 action, groundwater monitoring, land use controls, in  
15 situ treatment and excavation -- excuse me. Extraction  
16 and treatment.

17 Okay. Assessment of cleanup alternatives.  
18 The criteria we used to assess --

19 FACILITATOR KERN: I just wanted to jump  
20 in and say did everybody know what in situ treatment --  
21 what that means? Does everybody know?

22 MS. YATA: In place. Sorry.

23 Okay. When we looked at various  
24 alternatives for the cleanup, the criteria we used for  
25 assessing were technical effectiveness, implementability

1 and cost-effectiveness.

2 Like I said, I'm jumping a lot of steps,  
3 and this is a summary of what's in the document.

4 Getting down to the dollar amount of what  
5 our estimate of the various cleanup costs will be. For  
6 the identified shallow soil areas, we estimate \$400,000  
7 in cleanup costs. For the deep soil area, \$194,000.  
8 Telecommunications corridor, \$420,000, and groundwater  
9 monitoring, 575,000.

10 So now we're going to present what our  
11 recommended cleanup alternative is as in the document.  
12 For soil areas, our analysis indicates we believe  
13 excavation and off-site disposal is the best route to  
14 go.

15 There's a caveat in here about competent  
16 bedrock. This would be a technical challenge at the  
17 site which is slightly different than the Baker Beach  
18 site as we talked about before.

19 It's easy to bring in an excavator and dig  
20 up what shouldn't be there and dig up and go.

21 The 1349 site, there's weathered bedrock.  
22 When you're doing excavation with conventional  
23 technology, you have varying layers of resistance and it  
24 may or may not be effective to remove all the  
25 contamination in bedrock.

1                   Groundwater monitoring will be conducted.  
2   We believe that the excavation off-site disposal  
3   achieves the best result and cheapest alternative for  
4   this site.

5                   Groundwater. Groundwater monitoring is  
6   our recommended alternative. We're proposing at this  
7   time two new wells.

8                   MR. O'HARA:    Why?

9                   MS. YATA:    Why for groundwater  
10   monitoring?

11                  MR. O'HARA:    Yes.

12                  MS. YATA:    When you read through the  
13   document, there's analysis of the different technology,  
14   and based on cost, implementability, technical  
15   effectiveness, we feel that groundwater monitoring is  
16   protective based on what we've seen to date in  
17   groundwater samples, and we feel that our excavation and  
18   off-site removal and source areas for any potential  
19   contaminants to groundwater, so we feel this is  
20   protective.

21                  MR. O'HARA:    I thought you already had  
22   contamination.

23                  MS. YATA:    We do, and we're also removing  
24   the source area, the telecommunications corridor. Where  
25   we have the contamination is medium adjacent to the

1 telecommunications excavation I pointed out.

2 So we feel that that will be effective to  
3 address what's going on.

4 MS. TRIGIANI: Question.

5 MS. YATA: Sure.

6 MS. TRIGIANI: I'm -- just to follow up  
7 on Peter's question. Protective of what? The land that  
8 remains after there's been excavation?

9 MS. YATA: Protective of groundwater.

10 MS. TRIGIANI: Of groundwater. Okay.

11 MS. YATA: The potential source.

12 MS. TRIGIANI: If we're cleaning this  
13 out, is the groundwater monitoring a typical step to  
14 make sure that all the -- that we're making sure the  
15 contaminations's been removed or there's not an ongoing  
16 source of contamination or both?

17 MS. YATA: Groundwater monitoring and  
18 sampling is pretty much required for all our --

19 MS. TRIGIANI: Right.

20 MS. YATA: -- remediation activities to  
21 be sure that we, you know, excavated or removed or  
22 remedied the contamination.

23 MS. TRIGIANI: And that's over what  
24 period of time, Jennifer?

25 MS. YATA: We write in a standard time in

1 our documents, basically looking at the results, the  
2 results from various corridors of sampling, look for  
3 non-detects or decreasing trend of concentration, and  
4 you look at the data, and if you see a problem, then you  
5 modify your approach to our plan.

6 MS. TRIGIANI: Over what period of time?  
7 From the time that the well monitors are installed until  
8 when is the from now until when?

9 MS. YATA: It varies from site to site.  
10 Is it two years of annual -- Brian, do you remember?

11 MR. ULLENSVANG: In this plan, it's two  
12 years annual and three years semi-annual.

13 MS. TRIGIANI: So five years from now it  
14 would be considered free depending on the levels that  
15 we're reporting?

16 MR. COOPER: Right.

17 MS. YATA: Five years from now we will  
18 prepare a status report which is required by Regional  
19 Board order to review the data and review what we see.

20 MS. TRIGIANI: And to go back, can you  
21 remember the cost of the groundwater monitoring?

22 MS. YATA: 575.

23 MS. TRIGIANI: And who does that? Is  
24 that outsourced?

25 MS. YATA: The trust has a contractor and



1 that would be performed through our Presidio-wide  
2 groundwater monitoring program.

3 MS. TRIGIANI: And that's competitive bid  
4 or an estimate at this point?

5 MS. YATA: It was.

6 MR. ULLENSVANG: It would be an estimate.

7 MR. COOPER: Yeah.

8 MS. YATA: The 575?

9 MS. TRIGIANI: Mm-hmm.

10 MS. YATA: That's an estimate based on  
11 what it costs today, our analytical cost, our labor,  
12 document production.

13 FACILITATOR KERN: Jerry and then --

14 MR. ANDERSON: Is the assumption that you  
15 dig away the contaminated soil with the groundwater  
16 that's now contaminated will seep away and the  
17 concentration will be reduced at that point or will it  
18 go somewhere else?

19 MS. YATA: That's a challenging question.

20 MR. COOPER: In general.

21 MS. YATA: Natural attenuation of  
22 petroleum contamination.

23 MR. ANDERSON: You mean it spreads?

24 MS. YATA: It degrades through micro  
25 wheel action and --

1 MR. ANDERSON: But it hasn't over the  
2 years, sufficiently, anyway.

3 MR. COOPER: The soil contamination is  
4 still hovering above it. So the idea you take away the  
5 contaminated soil that's hovering above it, make the  
6 soil completely clean above it. Let's see what happens  
7 to the groundwater after we see a clean closure to the  
8 soil, kind of like a landfill.

9 MR. ULLENSVANG: The document does not  
10 assume that five years from now the groundwater will be  
11 clean. It does not assume that.

12 MR. ANDERSON: And the monitoring will  
13 be -- the new monitoring wells will be at the place  
14 where the contamination is found now; is that right?

15 MS. YATA: Correct, yeah.

16 MR. ANDERSON: But then as time goes on,  
17 it won't be there. It will be somewhere else. So I'm  
18 not sure what the monitoring at this location is going  
19 to do.

20 MS. YATA: Like I said, it was our -- at  
21 this time, our best judgment based on the hydrology at  
22 the site, the fractured flow, the rate of groundwater  
23 movement.

24 The groundwater monitoring program has  
25 flexibility for adding analytes, adding sampling

1 locations.

2 I think I tried to make that clear in the  
3 document.

4 MR. ULLENSVANG: Jerry, there's more  
5 wells than just the two they're talking about.

6 MR. ANDERSON: Sure.

7 MR. ULLENSVANG: Some of them will be in  
8 areas that are part of the contamination.

9 MR. ANDERSON: Really?

10 MR. ULLENSVANG: And there's a map in the  
11 document that describes the wells.

12 MR. ANDERSON: One other question. You  
13 spoke about benzene being there.

14 MS. YATA: (Nods head affirmatively).

15 MR. ANDERSON: I was wondering where that  
16 might have come from.

17 MS. YATA: I believe most likely it's a  
18 degradation from degradation of the diesel.

19 MR. ANDERSON: Oh, interesting.

20 MS. YATA: It shows benzene and analyst's  
21 reports.

22 MR. ANDERSON: I see.

23 MR. ULLENSVANG: I think it probably came  
24 in with petroleum. It was probably in the petroleum  
25 mixture and just separated out.

1                   MR. ANDERSON:   By diesel and fuel oil,  
2   you mean number 1 and number 2 distillates?

3                   MR. ULLENSVANG:   The fuel oil is Bunker C  
4   and the diesel, I'm not sure what blend that would have  
5   been.

6                   MR. ANDERSON:   Normally it's number 1 or  
7   number 2.

8                   MR. ULLENSVANG:   It could have been both  
9   over time.

10                  MR. ANDERSON:   I think the heavier stuff  
11   would be more likely to --

12                  MR. ULLENSVANG:   You notice there was TPH  
13   gasoline in there, too. So it may have been the  
14   blending of the distillates which might have had some  
15   benzene in it. But that's speculative.

16                  FACILITATOR KERN:   Sara and then Karen.

17                  MS. SEGAL:   I just had a question about  
18   the telecommunications corridor. So we have this  
19   \$100,000 above-ground storage tank. First it was fuel  
20   in the diesel, in the '50s and then the '70s.

21                  When the telecommunications corridor was a  
22   stretch of -- it's not that much soil according to the  
23   map with small print, but how is that -- if you're  
24   talking about petroleum related contamination, does  
25   the -- when was the -- I still think the

1 telecommunications sounds like something recent, so how  
2 does micro-optics and things look like that? So how  
3 does the petroleum contaminated cleanup touch this?

4 I mean, how does -- can you explain that a  
5 little bit?

6 MR. COOPER: They put the tele-  
7 communication line right into contaminated soil.

8 MS. YATA: Actually, can you go backward?  
9 Is that a problem?

10 MR. COOPER: To the map?

11 MS. YATA: Yeah.

12 MS. SEGAL: If it a legitimate cleanup  
13 under the program? Go ahead.

14 MS. YATA: The fuel dispensing structure  
15 when 1349 was used as a diesel dispensing, the outlet  
16 port was approximately here, so the trucks would drive  
17 up on Washington, fill their trucks and there would be  
18 leakage and spillage.

19 The telecommunications corridor is  
20 backfilled with the sand or a bedding material, so when  
21 contamination from leakage at this dispensing structure  
22 migrated into the soil, when it hit the tele-  
23 communications corridor, it would move much quicker.

24 It's not as compact. It would flow in the  
25 channel and saturate more readily.

1 Does that answer your question?

2 MS. SEGAL: But is the telecommunication  
3 corridor the result of Army activity?

4 MS. YATA: It was Army installed and in  
5 Army use when it was installed, and I'm not sure of the  
6 exact details of the history of when or what it was used  
7 for.

8 MR. ULLENSVANG: Sara, the tele-  
9 communications was not a source of contamination. It  
10 just happened to be an area where the contamination came  
11 to reside because of the nature of the soil, and then  
12 because of its sensitivity at the time, the Army didn't  
13 clean up underneath it.

14 MS. SEGAL: Okay. Thank you.

15 MS. CLEEK: I just have a quick question,  
16 and this has to do with the well monitoring and the  
17 cost.

18 So you're monitoring all the existing  
19 wells plus the two new ones once annually for two years?

20 MS. YATA: The -- most likely we'll do it  
21 quarterly for two years. So four times a year.

22 MR. COOPER: I thought it was semi-  
23 annually for two years.

24 MR. ULLENSVANG: Quarterly for two and  
25 then semi-annually.

1 MS. CLEEK: It's not like you stop for  
2 two years. That's what.

3 MR. COOPER: Then it goes to semi-annual  
4 and then we check in, you know, with Jim after five  
5 years and take a look at, you know, are the  
6 concentrations decreasing; are they staying the same;  
7 are there any new risks that we need to take care of.

8 Basically we don't think the groundwater  
9 is a sufficient risk for any type of active treatment  
10 and technology.

11 MR. ULLENSVANG: There's a couple  
12 questions. Eleven wells will go for sampling in the  
13 alternative documents, and that would be the nine  
14 existing wells and two new wells.

15 MS. TRIGIANI: Nine existing on this  
16 site?

17 MR. ULLENSVANG: Yes. In the site and  
18 general area. There's some overlap of the wells at fill  
19 site 5.

20 MS. TRIGIANI: I have a question after  
21 Peter's question.

22 MR. O'HARA: I --

23 MS. TRIGIANI: Since I hadn't seen the  
24 report, the only thing I've seen is the \$575,000 for  
25 installing the wells and five years of monitoring.

1                   Now there's no guarantee that after five  
2 years you're not going to have to spend another \$575,000  
3 for some protracted period of time for continuing  
4 monitoring.

5                   MR. COOPER:     That's correct.

6                   MR. O'HARA:     Okay. Fine. What are some  
7 of the other comparative costs for -- for cleanup which  
8 would ensure that the -- the contaminants are out of the  
9 groundwater?

10                  MS. YATA:     I think at this particular  
11 site, that's an especially difficult question to answer  
12 giving -- given the nature of the flow and the fractures  
13 at the site, and having a treatment technology is not  
14 like a pump and treat system and would not be amenable  
15 to this particular site based on the flow, the rate of  
16 flow.

17                  I don't know if I'm answering your  
18 question.

19                  MR. COOPER:     We took a stab at estimating  
20 some of the costs for those, and I'm looking at a number  
21 right now.

22                  MR. ULLENSVANG:   The treatment  
23 alternatives were not estimated for costs.

24                  MR. COOPER:     We thought it wasn't --  
25 wouldn't work.



1 MR. BERMAN: But here --

2 MR. O'HARA: What about the in situ  
3 alternative?

4 MR. ULLENSVANG: That alternative was not  
5 good for evaluation. This document determined that it  
6 would not be effective.

7 MR. BERMAN: Isn't it reasonable -- it's  
8 reasonable -- first assumption that the contamination in  
9 the groundwater is associated with the -- with the  
10 contaminants in the soil, and so presumably if that's  
11 removed completely, then over a period of time you  
12 should see that the groundwater starts cleaning up.

13 MS. YATA: Correct.

14 MR. BERMAN: And that seems to me to be a  
15 reasonable hypothesis considering the elevation of  
16 the -- of the contaminants and the way it flows there.

17 So this seems to me an imminently  
18 reasonable thing to do rather than propose a treatment  
19 of the groundwater which may not need anything after a  
20 few years after the cleanup.

21 So yes, it might be that you might have to  
22 have additional costs for monitoring, but it might be  
23 over maybe once every two years or something later on  
24 because if there's a trend that shows that the  
25 contamination in groundwater is decreasing, then this --

1 this would be a reasonable remedy.

2 MR. O'HARA: No argument. All I was  
3 doing was looking at a single figure for one alternative  
4 with nothing to compare it to.

5 MR. ULLENSVANG: The document has costs  
6 for land use controls and no action as alternatives to  
7 the monitoring wells.

8 FACILITATOR KERN: Mary.

9 MS. TRIGIANI: This is more of an admin  
10 type question, so maybe this is for Dave's working  
11 group.

12 When it comes to something like  
13 groundwater mon -- when it comes to monitoring these  
14 wells, and we're talking half a million dollars for  
15 monitoring a dozen wells, eleven, something like that.

16 MR. COOPER: Mm-hmm.

17 MS. TRIGIANI: Is there any way for the  
18 trust to -- does everything have to be purchased site by  
19 site or is there a way to contract with someone who does  
20 nothing but monitoring of wells to get some price  
21 efficiency out of this? Or is this what this costs site  
22 by site?

23 MS. YATA: The way our program is  
24 structured now for Presidio-wide sampling, we do have a  
25 contractor that comes out and it's a two-week period of

1 time typically and all the wells are sampled that need  
2 to be sampled.

3 MR. COOPER: Presidio-wide.

4 MS. TRIGIANI: Presidio-wide.

5 MS. YATA: So all sites are captured at  
6 the same time.

7 MS. TRIGIANI: So the fees are going to  
8 one consultant?

9 MS. YATA: Yes. We have a groundwater  
10 monitoring consultant, which is Treadwell & Rollo, and  
11 the actual work is a subcontractor that all they do is  
12 sample wells.

13 MS. TRIGIANI: So Treadwell & Rollo has  
14 subcontracted out?

15 MS. YATA: For the physical work. I  
16 believe we pay Treadwell & Rollo.

17 MS. YATA: We pay Treadwell, and they do  
18 the groundwater monitoring wells.

19 MS. TRIGIANI: And that was a competitive  
20 bid situation. Thank you.

21 MS. YATA: It was through the contract.

22 MR. COOPER: Treadwell was hired through  
23 our indefinite quantity contract.

24 MS. TRIGIANI: Is that in perpetuity  
25 contract?

1 MR. COOPER: No. They expire.

2 MS. TRIGIANI: How many times in a decade  
3 is that evaluated, for example?

4 MR. COOPER: Like Treadwell's contract is  
5 going to expire soon.

6 MS. YATA: Yeah. Very soon.

7 MR. COOPER: When they originally started  
8 the remediation group, we hired Treadwell, EKI.

9 MR. ULLENSVANG: I think the groundwater  
10 is a separate contract. That was a separate  
11 procurement, and I believe it was a one-year -- this is  
12 before Craig's time.

13 MR. COOPER: Right.

14 MR. ULLENSVANG: It was a one-year  
15 contract with four option years.

16 MR. COOPER: So it wasn't done in our in  
17 definite quantity contract.

18 MR. ULLENSVANG: It was groundwater.

19 MR. COOPER: Was it done competitively?

20 MR. ULLENSVANG: Yes.

21 MR. COOPER: Sorry about that.

22 MR. ULLENSVANG: The way that Treadwell  
23 structured it was anticipated that you'd have a firm  
24 that could write the reports, handled the data --

25 MS. TRIGIANI: Mm-hmm.

1 MR. ULLENSVANG: -- which would combine  
2 with someone who was specializing in groundwater  
3 monitoring, who has really nifty trucks that are just  
4 designed for doing groundwater monitoring.

5 MS. TRIGIANI: Sure.

6 MR. ULLENSVANG: And they can do it  
7 efficiently.

8 MR. COOPER: Just to add to that point,  
9 if you notice when we're -- when the trust is not  
10 satisfied with a contractor's performance, cost  
11 overruns, poor quality work, we have these option years  
12 and we can cut off a contractor and switch over.

13 MS. TRIGIANI: Okay.

14 MR. COOPER: There's costs associated  
15 with that, as you know, we've switched some contractors  
16 on some projects.

17 MS. TRIGIANI: What I'd like to get noted  
18 in the record, I'd like to understand more about the  
19 bidding process and whether we benchmark nationally for  
20 what the costs are, or if we just benchmark regionally,  
21 that kind of thing, and I'd also love to see a report  
22 eventually on what contractors have secured what kind of  
23 fees from the remediation projects associated with the  
24 Presidio Trust.

25 MR. COOPER: Right.

1 MS. TRIGIANI: Because that's way down  
2 the road after we get everything else, kind of ducks in  
3 a row.

4 Thank you, Doug.

5 FACILITATOR KERN: Dave.

6 MR. SUTTER: The wells are being  
7 installed by the construction contractor on this  
8 project; right?

9 MS. YATA: They will be installed by a  
10 specialty well drilling company that has not been  
11 identified yet, but somebody that's only what they do.

12 MR. SUTTER: Right. Treadwell is just  
13 monitoring these wells and they'll monitor these wells  
14 after they're installed.

15 Roughly what's the installation cost for  
16 these two wells?

17 MS. YATA: This is a very rough estimate.  
18 I would estimate \$25,000 a piece for installation.

19 MR. O'HARA: Is that included in the 575?

20 MS. YATA: Yes, it is. Installation  
21 costs are included in the \$575,000 estimate.

22 MR. ULLENSVANG: The document estimates  
23 that the installation of the two wells will be the  
24 overhead type of fees added on, which is running about  
25 thirty percent, which is \$6,300.

1           So that would put it on the order of 9 to  
2   \$10,000 for the twelve wells.

3           MR. SUTTER:   Which is small change. The  
4   big cost is in the monitoring.

5           MS. YATA:    Right.

6           FACILITATOR KERN:   Are there questions?  
7   You probably have a slide or two more?

8           MS. YATA:    I have a couple more slides.  
9   Back to groundwater. Here we are.

10           Basically to wrap up this little  
11   presentation, a summary of what we've been talking  
12   about. Recommended remedy that's proposed in this  
13   document and the costs associated with the recommended  
14   remedy. The soil areas, the excavation, rough estimate,  
15   \$655,000.

16           Groundwater monitoring, \$575,000, and the  
17   total estimated cost of the recommended alternatives,  
18   1.2 million dollars for this project.

19           MR. BERMAN:   That money is the money  
20   out -- does that include in-house staff contributions to  
21   the project or not?

22           MR. COOPER:   No. The trust, like labor  
23   and mine, no.

24           MR. BERMAN:   So the actual cost is --

25           MR. COOPER:   A little bit more than that.

1 MR. BERMAN: Yeah.

2 MS. BLUM: I have a question. I'm trying  
3 to relate this to page 6 where it says: "Assessment of  
4 alternative costs," and those all added up to a million  
5 almost six, and the recommended remedy is a million two.

6 MS. YATA: These are rounded estimates.

7 MS. BLUM: There's no mention of the  
8 telecommunications corridor.

9 MS. YATA: Well, there's also a cost  
10 savings. If you look at the alternatives, there's some  
11 overlap, mobilization fees, site fencing fees.

12 So there is redundancy, and I put a  
13 footnote on some of the tables that depending on the  
14 alternatives, if it's done in conjunction with the  
15 mobilization of the contractor, there will be savings.

16 The 1.2 million dollar cost is our  
17 estimate based on, you know, doing the excavations at  
18 the same time, one contractor mobilization. It's kind  
19 of a broad strokes best guesstimate of looking at all  
20 the alternatives.

21 FACILITATOR KERN: Maybe a question for  
22 Bob and Jen, but I note back on page 4 under the  
23 contaminants, the groundwater contaminants include  
24 pesticides, which is -- is that a CERCLA contaminant or  
25 is that still part of a petroleum contaminant? We



1 didn't really talk too much about pesticide  
2 contamination here.

3 Is the pesticide extent big? Small?

4 MR. COOPER: Go ahead, Jen.

5 MS. YATA: I'd say the detail is in the  
6 document, but a brief summary is we've seen repeatable  
7 pesticide detections in one well, which is well 100,  
8 which is within the telecommunications corridor soil  
9 area.

10 There's been sporadic detections of other  
11 wells in the area that have not been to date repeatable.

12 In the document, we've provided appendix  
13 on theories, possible reasons that it may be there. We  
14 do not have a theory as to why it's there.

15 Our best guess is the pesticides were  
16 being cut with diesel at the dispensing center, but we  
17 list a series of hypotheses.

18 MR. ANDERSON: Do they use weed and brush  
19 suppression on the telecommunications corridor?

20 MS. YATA: I would not say so. It's a  
21 sandy dry area where it's primarily the -- I don't want  
22 to call them well drying weeds.

23 MR. ULLENSVANG: The telecommunications  
24 corridor is all dry surface.

25 MR. ANDERSON: No, but they may want to

1 keep it clear so if they had to dig into it or  
2 something.

3 MR. ULLENSVANG: I've heard no or seen no  
4 evidence that they were.

5 FACILITATOR KERN: Jim.

6 MR. PONTON: I think I'd like to make  
7 five comments. Good presentation.

8 MS. YATA: Thanks.

9 MR. PONTON: I haven't had a chance to  
10 review the report. It just came out last week, but I  
11 think what Jen just described is generally when we have  
12 a petroleum site or a site where there's been a release,  
13 you identify the extent of the release and identify  
14 groundwater flow direction and monitor downgradient of  
15 that -- downflow of that release, but she's mentioned  
16 that this this is kind of an apex of a hill where water  
17 flows radially where it requires more wells than you  
18 normally see. It adds complexities and cost.

19 One thing that just came up is the water  
20 work process. There's thousands of leaky tanks in  
21 California, gas stations.

22 This is not unique, and our policy is that  
23 you remove the source. You remove the tank. You remove  
24 contaminated soil and you remove any free product.

25 Oil floats on water. That's recovered to

1 the extent practicable, and then if you know the nature  
2 and extent of the release, you monitor groundwater, and  
3 we allow for monitoring natural attenuation; we allow  
4 for degradation of petroleum contaminants.

5 Part of that is -- part of it does get  
6 diluted through infiltration of new freshwater, but  
7 petroleum compounds, they do degrade.

8 Microbes tend to like them, particularly  
9 benzene, because it's a food source for them, and  
10 Livermore did this study years ago that demonstrated  
11 that benzene releases from tanks never exceed more than  
12 thirty feet from the tank.

13 MTBE on the other hand runs forever. The  
14 plume is 10,000 feet long. We don't have that here, and  
15 what happens with petroleum degradation is you have  
16 lighter ends of the gasolines and diesels.

17 Once you get to the foul oils, they -- so  
18 they don't tend to migrate and we allow for that. We  
19 allow credit for that, in a sense, because there's only  
20 so much you can do.

21 We were really aggressive about the  
22 source. No more contamination, no more food for the  
23 plume for monitoring it.

24 The other thing that came up is the Teider  
25 review, five-year review for these remedies to make sure

1 that they're working. If it's demonstrated in two years  
2 that that berm is still -- they're working, we can issue  
3 a no further action and ratchet down the process.

4 It's really for the case worker that will have  
5 the project, not necessarily for the trust; that we made  
6 some decisions along the way, look back and see how  
7 they're performing so that we don't spend too much more  
8 time and money chasing something that may not be  
9 working, but basically what you talk about is is  
10 acceptable.

11 MS. YATA: Very good. To wrap up here,  
12 for RAB participation, as I mentioned earlier, the draft  
13 document, Doug and/or Mark has a copy. I prepared two  
14 copies. I'm not sure actually how many were delivered.  
15 There is a hard copy in our 34 library. There's another  
16 copy in our building 1750 library, and I have with me  
17 this evening some copies on compact disk and it's also  
18 on the trust Website.

19 The address is listed on the board here,  
20 and I encourage your comments and --

21 MR. COOPER: We need to talk to Jim  
22 in about -- thirty days or 45 days.

23 MS. YATA: And then last slide.

24 So to close out, you know, the process for  
25 the 1349 site, what will happen after you review the

1 document, provide comments, we will prepare a final  
2 corrective action plan which will be submitted to the  
3 Regional Board.

4 Appendix A of the CAP will include a  
5 written response to your comments and other comments  
6 that we receive.

7 Upon approval by the Regional Water  
8 Quality Control Board, we will prepare an implementation  
9 plan which will actually go out in the field and plan to  
10 do the work, and our schedule right now is for the  
11 implementation of the remedy to begin before February  
12 26th -- February 28th, 2006.

13 So that's it.

14 I hope the presentation is kind of -- got  
15 you thinking about things to look at when you're reading  
16 the document.

17 If you have questions, look in the  
18 document, see if you find the answers. If not, e-mail  
19 me if you have questions. I'll try to help you out.

20 MR. SUTTER: Yeah. It looks like the  
21 review and approval process is going to take about a  
22 year from now before you actually begin construction  
23 work.

24 Why so long? Why a whole year?

25 MS. YATA: Well, that's an estimate.

1 If -- if we're done with our document process prior to  
2 February 28th, then we can go in the field. We do not  
3 have to wait until February 28th. It's that -- that's  
4 our goal on our schedule to be actively doing the  
5 remediation by that date.

6 MR. COOPER: No later than. So we have  
7 to finalize the CAP and then we have to write this  
8 implementation work plan and get -- first Jim's approval  
9 on the final CAP and then Jim's approval on the  
10 implementation work plan and then hire the remediation  
11 contractor and then go out and break ground in the soil  
12 cleanup before February 28th.

13 So that's not just sitting around and  
14 waiting.

15 MR. SUTTER: I know you're not sitting  
16 around, but it just seems to me that it's just a small  
17 project, it is very straightforward. A whole year to go  
18 for review and final documents --

19 MR. COOPER: Yeah.

20 MR. SUTTER: -- seems to me an extended  
21 period of time.

22 MR. COOPER: If we're ready, we got the  
23 implementation work plan approved in October. We're out  
24 there in October this year.

25 MR. SUTTER: We just want it on schedule.

1 FACILITATOR KERN: Any other questions  
2 for Jen?

3 MS. CLEEK: I think this might actually  
4 be a question for Craig or combined.

5 When I look on -- and you mentioned this.  
6 On page 6 on the assessment of alternatives cost, it  
7 says: "Include capital costs and present worth of  
8 annual A, O and M," so O and M -- sorry, I seem to be  
9 beating a horse here, the groundwater monitoring.

10 MR. ULLENSVANG: Yes.

11 MS. CLEEK: So that's like discounted  
12 back; correct?

13 MR. COOPER: Correct.

14 MS. CLEEK: Are all projects done that  
15 way?

16 MR. COOPER: When you have costs that are  
17 going to go on for -- recurring costs for five years or  
18 ten years --

19 MS. CLEEK: I guess what I'm really  
20 grappling with is it surprised me that the groundwater  
21 monitoring was that expensive. I guess it didn't  
22 register before.

23 This is not actually the cash that's going  
24 to be paid out over the course of the years. It's the  
25 discounted present value.

1 MR. COOPER: Correct. That's right.

2 MS. CLEEK: Net present value.

3 MS. COOPER: Mm-hmm. Groundwater  
4 monitoring, you know, we -- I would love to have a  
5 working group about it, you know.

6 And last year the trust sat down with  
7 Brian and Jim and we worked out ways to try to make our  
8 groundwater monitoring program really efficient, more  
9 streamlined knowing that it's expensive.

10 As you know, we're spending about a  
11 million dollars a year plus or minus, maybe about 1.2  
12 million dollars a year on our Presidio-wide groundwater  
13 monitoring program, and Jim told me last month that he'd  
14 like to have the same exercise this year, analyze --  
15 what are -- why are we monitoring -- what are we  
16 monitoring for just to make sure that we're really  
17 thinking through our monitoring program and just to make  
18 sure that it's targeted and studying the things that we  
19 really need the study and not analyzing for the things  
20 that we don't need to.

21 In other words, we're looking -- we're  
22 trying to really knowing that it's expensive.

23 MR. BERMAN: Could I ask just a question  
24 on that?

25 Presumably some groundwater monitoring



1 might occur after 2014 or something like that.

2 Are all these --

3 MR. COOPER: Excellent question.

4 MR. BERMAN: So if you do -- of course  
5 present value, that stuff is not very much, but  
6 nevertheless all that's -- you do your calculation and  
7 it's all chargeable as far as Zurich is concerned.

8 MR. COOPER: Yes. It's an allowable  
9 expenditure, mm-hmm, but what I need to make sure that,  
10 you know, when the construction's complete, that I hold  
11 back a little remediation trust fund to cover these O  
12 and M costs, to cover the groundwater monitoring, you  
13 know, that's necessary in the long run and any other,  
14 you know, long-term costs associated with the  
15 remediation program.

16 MR. BERMAN: But that's in your present  
17 value calculation; right? I mean, as if you're holding  
18 back and getting interest on that. That's part of that  
19 calculation presumably.

20 I mean, I --

21 MR. COOPER: Right, right.

22 MR. BERMAN: I mean, just to make sure  
23 that -- so you're already assuming in that calculation  
24 that it's -- it's not a separate pot that's in a  
25 separate account. It's already assumed in a calculation

1 that you're doing that.

2 MR. COOPER: Correct, right. We don't  
3 let another project raid -- just because a project's  
4 budget holds steady for a while.

5 You have a 1.3 million dollar project  
6 budget and spend 700,000 and that \$600,000's sitting  
7 there.

8 It's sitting there for a reason because it  
9 has long-term O and M costs that we're going to be  
10 chewing into over the next five, ten, fifteen years.

11 We want to make sure that some other  
12 project doesn't say, "Hey, look, you know, there's some  
13 money sitting in 1349 project budget," so there you have  
14 it.

15 FACILITATOR KERN: Well, I'd like to  
16 thank Jen for her presentation. Thank you.

17 MR. COOPER: Thanks, Jen.

18 MS. YATA: Thank you for your time.

19 FACILITATOR KERN: I'd like to give our  
20 recorder a break and give us a break, and I would really  
21 like to request that those of you who are thinking you  
22 might sneak out at the break that you wait and so we can  
23 vote on this RAP 3 letter if it's ready to be voted on.  
24 It's been out there for a while.

25 I think if there are any comments, I'd

1 really like to hear them so we could give this letter to  
2 Craig and move that process. So let's take about ten  
3 minutes and we'll be back.

4 (Recess taken).

5 FACILITATOR KERN: I wanted to bring us  
6 back to something that we've been commenting on for a  
7 while now, actually several years this group of sites  
8 under the remediation action plan number 3.

9 We commented on the various times with the  
10 Army, the trust during the F/S process and now we're at  
11 the -- sort of the final go.

12 I'd like to thank all of you that have  
13 provided in to this letter, and particularly Mark for  
14 his great additions over the last couple of weeks to the  
15 letter.

16 Hopefully everybody's had a chance to  
17 review this via e-mail, and if you haven't, I hope you  
18 have a moment now to -- to read it.

19 For those of you that have read it, are  
20 there any comments, typos -- yes, Sam.

21 MR. BERMAN: I just -- when I read this  
22 new addition, and especially the Lobos Creek, the things  
23 that were added -- and I thank Mark for his -- his --  
24 his really hard work to dig out some of that stuff -- I  
25 was -- I went back and looked at the -- the RAP 3 CD

1 that I had and I tried to find something in there about  
2 the 22nd Avenue and 23rd Avenue discussion that's in  
3 this letter here, and I couldn't find it in there.

4 Is that just me or is there some --  
5 something in there? It seems to me this was totally  
6 new, and it seemed to be really significant.

7 So is it in there and I just missed it?

8 FACILITATOR KERN: We can have Mark talk  
9 about it a little bit if you'd like, but I would say  
10 that the Lobos Creek has had a number of different looks  
11 from different perspectives, and this is -- I think Mark  
12 has added information that may be relevant from perhaps  
13 a different source.

14 MR. BERMAN: For example, the fact that  
15 the City engineers concurred that there is sewage mixing  
16 in that they haven't done anything about, that's not  
17 stated at all in the RAP.

18 You know, when I read that, I was  
19 really -- really surprised because that seems to be a  
20 rather significant concern and something which I guess I  
21 was a little shocked when I read that and I just  
22 can't -- I can't understand how something like that  
23 is -- is continuously happening and the trust isn't  
24 barking at San Francisco to get that taken care of.

25 FACILITATOR KERN: I guess I would -- I

1 guess my response to that is there is a number of  
2 different programs that I've looked at for Lobos Creek,  
3 and this particular issue about a sewage overflow pipe  
4 that has access to the creek through other -- other  
5 avenues has been known to the trust and the Park Service  
6 and the City for many years.

7           We've had people out there in the creek  
8 looking at it, photos, the whole bit, and this is  
9 another attempt to get people to recognize that there --  
10 we're trying to bring to bear all the known knowledge on  
11 the site so there's some recognition that it's a  
12 valuable resource and there are potential threats to it  
13 from variety of sources and that, you know, what is the  
14 impact to the creek from the source. It's trying to  
15 bring that information to bear on it.

16           MR. BERMAN: But there is -- I couldn't  
17 find any discussion of that issue in -- in the RAP 3,  
18 and that I felt was -- was -- I was uncomfortable about  
19 that because that seemed to be a fairly big issue, and  
20 although I've not known about all this other work that's  
21 been done on, that's something that you would expect the  
22 trust and the contractors to have done some thinking  
23 about that, and the absence of that seems to be the  
24 point of being shocking.

25           FACILITATOR KERN: Okay.

1 MR. SUTTER: Is this sewer outpour an  
2 active pipe or do we know, abandoned?

3 FACILITATOR KERN: There are two sewer  
4 crossings at Lobos Creek. One is at 17th Avenue. One  
5 is at 22nd, and the one at 22nd crosses the creek above  
6 the creek. It's a large pipe encased in concrete cut.

7 MR. SUTTER: Yeah.

8 FACILITATOR KERN: And if you follow that  
9 up the hill, there's a pipe that comes down to that  
10 structure there at Lake Street and there seems to be a  
11 connection to that pipe, an overflow pipe of some kind  
12 that goes right into the creek.

13 MR. SUTTER: So the outflow that goes  
14 from the sanitary sewer, a combined sewer that goes into  
15 the creek?

16 FACILITATOR KERN: There is -- it's a  
17 combined system.

18 MR. SUTTER: It goes directly into the  
19 creek?

20 MR. HULTGREN: How do we know that's what  
21 it is? Is it a guess or have you looked at the City  
22 diagrams or something and found out that's what it is?

23 I'd be very surprised and I think Dave  
24 would, too, that there is that kind of -- of an outfall  
25 existing, because the whole concept of the sewer program

1 that took place fifteen, twenty years ago was to route  
2 all of that to around near the zoo, and I'm just amazed  
3 if there's something that was overlooked.

4 MR. BERMAN: The letter says that the  
5 City engineers acknowledge this, so somewhere there has  
6 to be a document that's actually -- something is written  
7 that the City engineers acknowledge that this overflow  
8 actually exists.

9 MR. YOUNGKIN: They don't put anything in  
10 writing.

11 MS. CLEEK: Is this the same general area  
12 where those houses slid down?

13 FACILITATOR KERN: It's a couple of  
14 blocks away. It's not --

15 MS. CLEEK: Because that was the result  
16 of old sewer projects that caused the hillside -- done  
17 by the City, I assume, to slide a while back.

18 So there are things going on there that  
19 have never really been corrected.

20 FACILITATOR KERN: Julian.

21 MR. HULTGREN: If it is an outfall from  
22 the combined sewer, I would think the Regional Water  
23 Quality Control Board, if not aware of it, should be  
24 made aware of it and damn well better start looking at  
25 it, because that's one of the problems that the City was

1 dealing with and was under the gun for by the board  
2 again fifteen, twenty, thirty -- 25 years ago. So I  
3 don't know.

4 Jim, is this something that you could look  
5 into and find out whether there's any --

6 MR. PONTON: I'll see what I can do.

7 MS. CHEEVER: What is a scour hole?

8 FACILITATOR KERN: If you have the -- one  
9 of the joys that we've had of going and making up the  
10 creek and doing sampling and testing along it and  
11 observing various inputs, we found this several years  
12 ago, this particular site, a lot of concrete that was  
13 broken up and eroding that you could walk up to and  
14 climb up between the weeds, the bushes, poison oak and  
15 hear the water running in the pipe if you get your head  
16 in there.

17 Not too many of us would venture our heads  
18 into sewer pipes, but --

19 MS. CHEEVER: But what does scour hole  
20 mean?

21 FACILITATOR KERN: Coming down from that  
22 pipe, the rushing water that would come out of that  
23 would dipping out a hole as it entered the creek. So  
24 there's basically a hole, kind of a pit that forms a  
25 pool where this channel comes into the creek. It's



1 deeper.

2 I was out there a couple weeks ago and  
3 there were little fish, you know, you could see them in  
4 the bottom of the pool, so -- it's a deep area.

5 MS. TRIGIANI: And it was a sewer pool  
6 and there were little fish in it?

7 FACILITATOR KERN: This is -- it's not  
8 something that Mark intends to suggest that there's  
9 sewage constantly running into this -- into the creek.

10 MS. TRIGIANI: Okay.

11 FACILITATOR KERN: Everybody in the world  
12 would know that.

13 MR. BERMAN: It's on overflow.

14 FACILITATOR KERN: It's an overflow. If  
15 there's a major storm event, there's a backup from the  
16 pipe, it goes to a certain level and then comes back  
17 into the creek, and in those events, it's so heavy that  
18 it can scour out the sandy bottom of the creek in that  
19 location.

20 MS. PASSERO: Well first, thanks for  
21 doing this, great. I had a minor suggestion, and this  
22 seems like you already thought about this, but I'm just  
23 wondering with the order of Lobos Creek is just such a  
24 hot topic and seems to be up there as such a high  
25 priority, should it go first or is there intentional

1 reasons of putting it after?

2 MR. BERMAN: It's called the final upper  
3 cut.

4 FACILITATOR KERN: Well, this is, as we  
5 talked about in our meetings, a very important site to  
6 all of us. It's a water supply. It's a natural  
7 resource area, and, you know, we made a choice to begin  
8 including all of this information in the document, and  
9 yeah, it could come -- could be pushed up first.

10 There is also a thought well, let's make  
11 sure we read all the rest of it and don't lose those  
12 sites in favor of just having this discussion.

13 So other thoughts or comments? Julie.

14 MS. CHEEVER: First of all, thank you for  
15 doing the letter and I agree with it. Just a little  
16 thought.

17 Are we going to vote on whether to do it?  
18 Because it seems community members, if we unanimously  
19 approve it, then we can say that, but otherwise I think  
20 we should see how many community members, individual  
21 members.

22 FACILITATOR KERN: Mm-hmm. I think in a  
23 lot of our letters, we have done that at the bottom.  
24 We've added a line that said: "Voted on a certain date  
25 and the result of the vote, eighteen of eighteen

1 community members supported this" and --

2 MS. CHEEVER: Yeah.

3 FACILITATOR KERN: -- we included it, and  
4 if it wasn't unanimous, "we've taken the vote."

5 MS. CHEEVER: I would like to advocate  
6 doing that again.

7 FACILITATOR KERN: Craig.

8 MR. COOPER: I noticed that except for  
9 Lobos Creek for -- I just scanned the letter. This is a  
10 version that has more detail in it, which is great, than  
11 previous versions, so it gives me more to work off of,  
12 but a lot of them are just things that I need to give  
13 you more information on.

14 FACILITATOR KERN: Right.

15 MR. COOPER: So I recommend that we could  
16 form -- if you wish this letter today or tomorrow,  
17 that's fine with me. We can sit down and form a working  
18 group and start hammering out -- I can start doing my  
19 homework on responding to the questions you bring up,  
20 because your letter says you don't concur and then I  
21 started to scan some of the comments. We might concur  
22 if we get this information.

23 So I want to work with you right away to  
24 get that information in front of you. If it's missing  
25 from the RAP, let's get that -- get a -- keep those

1 conversations going as soon as possible. That's fine.

2 And then Lobos Creek could be almost like  
3 a separate -- it's a whole different world as far as  
4 this comment letter goes, and --

5 FACILITATOR KERN: I think that's right.  
6 I think we've forwarded the rest of what we had into  
7 the -- in the document and it could be broken out. It  
8 could have its own discussion.

9 MR. COOPER: Yeah.

10 FACILITATOR KERN: I think your comment  
11 is totally fair that we say we don't concur, but some of  
12 the sites are kind of --

13 MR. COOPER: Yeah.

14 FACILITATOR KERN: -- with information  
15 that we might be ready to agree.

16 MR. COOPER: Right. I want to stay  
17 engaged. This letter now -- it actually gives me some  
18 things. So let me pass this letter today. I'll start  
19 doing the homework, start getting some thoughts  
20 together, getting some information together and getting  
21 contact about forming a little working group or we can  
22 talk about it at the RAB committee meeting. Either  
23 forum is fine with me.

24 MR. BOGGS: Along those lines, one of the  
25 things that our agency is looking at is for some of

1 these sites that are proposed no further action actually  
2 trying to set up a mechanism where we can request  
3 particularly confirmation sampling as a setup for  
4 approving this as a remedy; i.e. sites, and we should  
5 probably have further characterization rather than  
6 holding it up, taking it out of the process, getting  
7 additional data, crossing the T's or dotting the I's,  
8 that we might be able to do that and still have the  
9 remedy in place for this document.

10 So that's getting carried up to our legal  
11 department. They're not sure how they would set that  
12 up. They think that one way they can set it up is  
13 necessarily --

14 FACILITATOR KERN: Well, we would -- we  
15 would invite you, then, to, you know, be part of the  
16 discussion so we can understand what sites that that  
17 might apply to.

18 Other comments or discussion on where the  
19 letter is? Do you think it's ready or does it need  
20 more -- do you feel like you want to submit it as is or  
21 are there any -- do you care stylistically as a group as  
22 to whether the Lobos Creek's at the beginning of end?  
23 Gloria.

24 MS. GEE: Just hearing some of the other  
25 comments about positioning and also Craig point that

1 Lobos Creek item is really a very different in substance  
2 than the other comments, and I -- I was reading it. I  
3 thought well, it's really heavily directed towards Lobos  
4 Creek and I was just wondering if -- just off the top of  
5 my head, if you were to keep only with that first  
6 general comment of Lobos Creek in the main letter and  
7 then say that, you know, given -- allude to the more  
8 specific items, action items concerning -- concerned  
9 with Lobos Creek in instead of refer to the addendum  
10 that really sets out all of the items, and that would  
11 mean that the -- that addendum or whatever you call  
12 that, attachment would have like almost two pages really  
13 honing in on the specific concerns of Lobos Creek, and  
14 that could be a separate piece for Craig to address, you  
15 know.

16 Just a thought in terms of balancing so  
17 that the first -- the main part of the letter would be  
18 only -- what is it? Like three and a half pages dealing  
19 with that first generalized comment under Lobos Creek  
20 and then saying that for the specific issues that, you  
21 know, we would like the -- the RAB would like to have  
22 addressed, please refer to this attachment, whatever it  
23 is and then that could be a separate piece forward for  
24 consideration, response.

25 FACILITATOR KERN: Sam.

1 MR. BERMAN: This -- this is -- it seems  
2 to me a lot of work has gone into this, and although I  
3 like good form and excellent language and all that. I  
4 think it's not as important as to get this out and --  
5 because it -- and it has everything in there.

6 It's not as if this is going to be a  
7 published document that's in a report. The main thing  
8 is that it has all the issues and it's enough substance  
9 to work on.

10 So -- and given there's so much effort  
11 into this letter already, you know, I -- I personally  
12 feel that unless that we have, you know, a substantial  
13 objection, that the best thing to do is to move it  
14 forward as fast as possible so that we can get going,  
15 and that doesn't mean that I agree that you can't make  
16 it stylistically much better, but I don't think there's  
17 much value to it if there's any delay.

18 FACILITATOR KERN: Thank you. Jerry,  
19 yes.

20 MR. ANDERSON: I move that the letter be  
21 sent as it is, and again, all the suggestions seem very  
22 worthwhile suggestions, but the addressees are here.  
23 They know what we think about it, so --

24 FACILITATOR KERN: Okay.

25 MS. BLUM: Second.

1 FACILITATOR KERN: Is there any  
2 discussion?

3 MR. O'HARA: The only change in the  
4 letter I would suggest would be those that Julie had  
5 suggested.

6 FACILITATOR KERN: The voting by, okay.  
7 Other discussion?

8 It's been moved and seconded and there's  
9 been discussion held that we submit the letter as is  
10 with the addition of the voting tally at the bottom of  
11 the letter.

12 All in favor, if you would raise your  
13 hands, please. I'll make a count. One, two, three,  
14 four, five, six, seven, eight, nine, ten, eleven,  
15 twelve, thirteen, fourteen, fifteen, sixteen,

16 MR. BERMAN: Did you count yourself?

17 FACILITATOR KERN: Yeah, I did. Opposed?  
18 So zero against. So the motion carries.

19 Thank you very much to all of you for your  
20 hard work on this. And we'll get those changes and  
21 submit it.

22 Thank you, and I think we'll take -- we  
23 want to take Craig up on his offer to begin working with  
24 him on this, so if there's any one of you that would  
25 like to join in those specific discussions, please let



1 us know. That would be great.

2 Craig, do you have some other updates that  
3 you'd like to give?

4 MR. COOPER: I have my standard monthly  
5 update. It is 9:15, so I'm more than happy to cruise  
6 through this. You've got the handout. I'm at your  
7 pleasure.

8 FACILITATOR KERN: Let me check in with  
9 people. It's 9:15. After the last couple meetings --  
10 we've been going right up to 10:00 and people are  
11 getting a little bit weary of that, and I want to try  
12 to, you know, check in with folks tonight.

13 Part of the agenda thing that we're  
14 trying -- that we'd like to do is pull out the sites in  
15 detail, ask a few questions, make sure that we get into  
16 some depth about a particular site, you know, with input  
17 from us in advance.

18 MR. COOPER: Yeah.

19 FACILITATOR KERN: So I think we value  
20 these updates. It's not to discount what you've been  
21 doing on that at all. It's just to really probe down  
22 deeply into some particular sites.

23 MR. COOPER: I completely agree. Last  
24 year we were doing a pretty good job off and on.  
25 Sometimes we'd really get deep into a site and just do

1 monthly updates. So I'm all in favor of diving in  
2 deeply to the sites.

3 Monthly updates are really kind of meant  
4 to keep you in the loop. There's all these other kind  
5 of miscellaneous projects going on, so it's meant to  
6 kind of keep you in the loop so a month or two doesn't  
7 go by and you don't say, "When did that happen?" It's  
8 to avoid that type of conversation.

9 So we can cruise through these quickly.  
10 We can just go to sites that are on your mind.

11 They pretty much cover every -- at least  
12 large remediation sites that we have or we can adjourn  
13 and you guys can just read your handouts and e-mail me  
14 or we can talk about it in a committee meeting or --

15 FACILITATOR KERN: I'd like to get some  
16 feel from the group of where you'd like to go tonight.  
17 We've accomplished a couple of big things tonight. I  
18 think we can feel good about that.

19 I don't necessarily want to rush through  
20 your update, you know. That doesn't give the sites what  
21 they need, but if there's anything in particular that's  
22 been happening that comes to mind, Baker Beach 1,  
23 something like that.

24 MR. COOPER: There's a cool photograph of  
25 Baker Beach 1/2 that I'd like to show Brian. It's not

1 in our handouts, but I'd like to show that one.

2 Take a look at -- okay. This is Baker  
3 Beach 1 through 4. This is what it looked like forever,  
4 okay, and now da-da-da. Yes. So this vegetation was  
5 removed last month, and it is in preparation for some  
6 more detailed investigations that we're going to be  
7 doing at the Baker Beach 1/2 area, remediation site, and  
8 --

9 MS. SEGAL: Would you go back to the  
10 other picture?

11 MR. COOPER: We've been told that this is  
12 a very heavy traffic -- this is Merchant Road. This is  
13 how you get -- Golden Gate Bridge is off here in the fog  
14 at this point. I don't think there's smoke or -- it  
15 looked like some mist or smoke out there.

16 MR. ANDERSON: Did you get the trees down  
17 before the birds started nesting?

18 MR. COOPER: We just did vegetation  
19 removal in and around the battery area at this point in  
20 time because that's where the focus of these -- the  
21 geotechnical investigation's going to happen and the  
22 cultural resource investigation is going to happen.

23 MR. ULLENSVANG: The tree removal did  
24 occur before bird nesting season, and there's half a  
25 dozen large mature trees in this area that were removed

1 and it occurred before March 1st.

2 MS. SEGAL: Craig, could you go back to  
3 the previous? Thank you.

4 MR. COOPER: There you go. You can see  
5 what trees -- the trees that have been removed, yeah.

6 MS. BLUM: On your first -- second slide,  
7 there are two blue eyeballs.

8 Are those pools of water on the site you  
9 just left?

10 MR. COOPER: This one gives you a good  
11 idea, perspective.

12 MR. BERMAN: Those are the trout ponds,  
13 Jan.

14 MS. BLUM: Trout ponds?

15 MR. HULTGREN: No. I think --

16 MR. COOPER: It looked like mud puddles.  
17 It's been raining a lot, so yeah.

18 MS. BLUM: It was a little scary to see.

19 MR. COOPER: Yeah. It's water from  
20 rainfall.

21 MS. CLEEK: Are they going to replant  
22 that or are you going to replant that?

23 MR. COOPER: After the remediation, there  
24 will be.

25 MR. ULLENSVANG: The center area will get

1   dug out. The center area to the right, including the  
2   two blue dots to the right and then off the edge to the  
3   left, will all get dug out.

4               MS. CLEEK:   So it will be like street  
5   level? You think it will be lower?

6               MR. COOPER:   It's about eight feet give  
7   or take a few feet of fill in that area, and if you walk  
8   through this, you can actually see individual dumps or  
9   truckloads of fill have been deposited there, and so  
10   that area will be -- there will be a treatment  
11   developed.

12              How much of it will be planting and how  
13   much of it will be historic treatment still has to be  
14   worked out.

15              MS. CLEEK:   I guess I don't remember what  
16   the cultural resources are that they're looking for  
17   there.

18              Was that roads or trains?

19              MR. ULLENSVANG:   There are batteries,  
20   which are both the visible structures and the earthen  
21   parts of the structure. Those mounds are like an  
22   integral part of the battery in the way it was designed  
23   to function. The land forms are part of the historic  
24   resource.

25              So the road, Bowman Road, the covered way

1 is an integral part of the landscape that's there.

2 MS. CLEEK: So there is a possibility  
3 that they might point those out to people or develop  
4 them as an interpretive site?

5 MR. ULLENSVANG: Our folks -- there's  
6 still a number of years before we're done with this  
7 project, and this is the beginning of understanding what  
8 the resource is, which could lead to --

9 MS. CLEEK: Could determine what you do  
10 with it.

11 MR. ULLENSVANG: That's right. Some of  
12 the stuff in the foreground, some of the vegetation was  
13 cleared in such a way that it didn't disturb the ground  
14 of the roots. So much of the vegetation is expected to  
15 rebound.

16 MS. CLEEK: Okay.

17 MS. SEGAL: Craig, do you know if you got  
18 any phone calls about the vegetation?

19 MR. COOPER: Yeah.

20 MR. ULLENSVANG: There were some phone  
21 calls.

22 MR. COOPER: Yeah.

23 MS. SEGAL: But not a lot of negative?

24 MR. ULLENSVANG: They were all negative.

25 MR. COOPER: They were all.

1 MS. TRIGIANI: Okay. So any good ones?

2 MR. COOPER: Not more than five, Brian.  
3 Not more than five.

4 MS. TRIGIANI: What's the nature of it?  
5 "why are you digging stuff up?" You mean, it's a tree  
6 thing?

7 MR. ULLENSVANG: The person who called me  
8 actually didn't return my call when I called them back,  
9 but the message -- removal of the natural habitat was  
10 their message.

11 MS. TRIGIANI: A natural habitat.

12 MR. ULLENSVANG: And I presume that they  
13 were talking about the vegetation.

14 MS. TRIGIANI: Okie dokie. Thanks.

15 MR. ULLENSVANG: We all -- when we were  
16 out there working, we had verbal comments from  
17 passersby.

18 MS. BLUM: I'll bet.

19 MS. TRIGIANI: With visuals.

20 MS. WRIGHT: Were the regular signs out,  
21 the explanatory signs out for education?

22 MR. ULLENSVANG: This was totally signed.

23 MS. WRIGHT: Okay.

24 MR. ULLENSVANG: I believe there were six  
25 signs in the general area where we thought people would

1 pass by the signs.

2 MS. BLUM: Did you think that the signs  
3 were better at Baker Beach?

4 MR. ULLENSVANG: I think that's a very  
5 good question to ask the people in the RAB.

6 MS. BLUM: I didn't hear a peep from  
7 anybody. I think that's because we sent memos out. I  
8 don't know.

9 MR. ULLENSVANG: We'll get negative  
10 feedbacks when we have a lot of outreach or not.

11 MS. BLUM: Mm-hmm.

12 MR. ULLENSVANG: You may hear more from  
13 your friends and neighbors what's going on. You'll find  
14 how effective the outreach was.

15 MS. TRIGIANI: The most feedback I get  
16 from people has nothing to do with remediation. It's  
17 about the Lucas project. That's what seems to be on  
18 people's minds more than that activity.

19 MR. ULLENSVANG: As we continue along, I  
20 find it helpful to hear what you hear and what your take  
21 as an informed public is on how well the outreach is  
22 going.

23 MR. COOPER: I just have two slides just  
24 to hit on real fast and we'll get going here. Just as a  
25 quick -- oh-oh. This is one of them. For the mustard



1 agent site, and our whole -- remember the Army Corps of  
2 Engineers report called the archive search report.

3 We got a letter from the Army Corps of  
4 Engineers finally and I made copies and I distributed it  
5 at the February RAB committee meeting as Mark said in  
6 his report, and I'm going to be preparing a response  
7 letter back to Mr. Handel, the Army of Corps of  
8 Engineers guy with respect to our comments about his  
9 letter and what's going to happen next, and I also want  
10 to say an interested citizen has now called me a couple  
11 times, e-mailed me.

12 I think that this fence is starting -- I'm  
13 surprised people have not started to complain before,  
14 and it's starting to come together, he and several  
15 friends have now reached a point where they're getting  
16 very irritated with the fence and I sent him an e-mail  
17 back and explained kind of my version of the history of  
18 what -- what got the fence up there in the first place  
19 and who's responsible, who's taking responsibility,  
20 which is the US Army, who the regulator is and all about  
21 DTSC and gave him names and addresses and Websites and,  
22 you know, to call Bruce Handel. He can call the Army  
23 back office in Washington, D.C.

24 I just loaded him up with lots of  
25 information that he could, you know, react with, and he

1 called Bruce Handel the next day and got some  
2 information from Bruce and now he wants to call Bob.

3 And so Bob, I sent him an e-mail today  
4 with your name and telephone number.

5 So I just wanted to alert you, and I also  
6 told him about RAB meetings and that he could come  
7 and -- as an interested party, and if we wanted to, we  
8 could make it a specific agenda item and he could come  
9 and ask you guys to make it an agenda item at a future  
10 RAB committee meeting, and once it does get calendared,  
11 we could make an invitation to have him come.

12 MR. SUTTER: I think you're exceeding  
13 your outreach.

14 MR. COOPER: Yeah. I wanted to give him  
15 as much information as I could, so --

16 MR. STRINGER: Can I ask you a question?  
17 I thought there had been two other sites identified by  
18 the Army.

19 Is that correct?

20 MR. BERMAN: Two other sites that had  
21 further action.

22 MR. COOPER: That had further action.  
23 There was about eighteen, twenty sites total in the  
24 archive search report and about three of them, according  
25 to this letter from the Army, required further

1 evaluation I think is what the term that they used, and  
2 no further evaluation for the other seventeen plus or  
3 minus.

4 MR. BERMAN: So did you find out whether  
5 this -- the table was --

6 MR. COOPER: Yes. I found out. I called  
7 Mr. -- don't look up here. I called -- at Sam's request  
8 at the last February committee meeting, I called Bruce  
9 Handel up and said, "I'm assuming that your letter is  
10 based on some report, some risk evaluation, some risk  
11 prioritization where some folks went through the very  
12 thick archive search report and went through the  
13 criteria" and he told me no.

14 FACILITATOR KERN: No?

15 MR. COOPER: No. I'm not too sure what  
16 to make with that response, other than no.

17 MR. ANDERSON: How about the table  
18 generally?

19 MR. COOPER: That's what I said. "How  
20 did you put this table together? Just based on the  
21 reviewer's notes?" and -- he should really -- my  
22 recollection is more or less "yes, that's correct," and  
23 I said, "Well, I have waited a year now. I was  
24 expecting -- you got to give me something to work off of  
25 here, you know. How do I feel comfortable with your --

1 the results of your evaluation?"

2 And he said, "Well, I would really love to  
3 meet with you and the others, you know, Bob and Jim,  
4 Brian and hear your -- what you think what we need to do  
5 on the archive review, as well," and I said, "That's not  
6 what the path we were going down," that the experts were  
7 going to review this, come up with their recommendations  
8 that were based on their evaluations and then make some  
9 recommendations to us and not just -- and it's not  
10 even -- the real bombshell, in my opinion, was that --  
11 my understanding that the experts from Huntsville,  
12 Alabama that we were all expecting to review this did  
13 not.

14 They were -- they could not -- they were  
15 not available for various reasons to review it, and so  
16 my understanding is that Bruce had folks in his  
17 Sacramento Corps of Engineers office review it, yeah.

18 So here Bob is like that's different --  
19 that's a different, you know -- that's a different story  
20 than what I thought our path was going down.

21 MS. TRIGIANI: Are they Army Corps of  
22 Engineers Sacramento people?

23 MR. COOPER: Yeah.

24 MS. TRIGIANI: So the Huntsville unit --  
25 why was he --

1 MR. COOPER: The Huntsville people were  
2 the folks -- when we first got the bottles, they're the  
3 ones that came and took possession of the bottles and  
4 did the specialized test.

5 They were the ones, they do -- they review  
6 archive search reports nationwide. That's their  
7 expertise, nationwide to analyze and assess risk for  
8 these exact type of sites; not only in the Presidio, but  
9 other -- these type situations happen all over the  
10 place, and I was really hoping to be able to tap into  
11 that expertise.

12 MS. SEGAL: So Craig, so the letter is  
13 fourteen months later than we expected, but based on  
14 this Susan who inquired, what does it really mean now,  
15 though, for the fenced off area?

16 MR. COOPER: Right, and I think --

17 MS. SEGAL: What steps? Is that what  
18 you're going to respond to them about?

19 MR. COOPER: Exactly. The fenced off  
20 area, the mustard agent site is one of the three sites  
21 where the Army said yes, this requires further  
22 evaluation.

23 So I don't want to -- you know, I want to  
24 keep any momentum that the Army may have on those sites  
25 going, and then for us to really, you know, study the

1 other seventeen and see how we feel about that.

2 So I don't want to slow them down.

3 MR. SUTTER: But are they moving to begin  
4 with?

5 MR. COOPER: But -- and that's what's  
6 going to get the fence down. The Army needs to -- I  
7 think Bob has made that clear. They've got to do  
8 further evaluation, you know, and satisfy DTSC before  
9 that fence goes down, and the citizen, he was really  
10 just interested in the fenced off area. The redwood  
11 trees in particular was an area that he would go and  
12 visit on a regular basis and he's really missing that  
13 particular area.

14 Mm-hmm, Jan.

15 MS. BLUM: I would like to recommend that  
16 we escalate this way up to the executive director's  
17 level and have him call the president of the United  
18 States or something so we can get some action. This is  
19 really unacceptable.

20 I mean, it's just a report they printed to  
21 close the case and nobody's really looked at it and it's  
22 just really ridiculous after a year.

23 I just think they ought to get the job  
24 done and somebody needs to put a little pressure on them  
25 or have them say, "We're not going to do anything about

1     it."   You decide or something.

2                   MR. COOPER:    Right.

3                   MS. BLUM:     Or close the area off forever,  
4     say it will never be opened.

5                   MR. COOPER:    I've got all kinds of  
6     emotions about the way this turned out, because if I had  
7     known this was going to turn out this way, I could  
8     have -- there are other experts other than Huntsville,  
9     even though that was the one that we were going to tap  
10    into, I could have hired some folks to get into this and  
11    told the Army "I'm going to bill you on this" and start  
12    a cost recovery action, but I just felt like we --

13                   MS. TRIGIANI:   Let's do it now.

14                   MR. COOPER:    It led to another month, led  
15    to another month.  It won't be cheap, you know, and it's  
16    a big decision to start tapping into remediation funds  
17    for this, and I don't even know if it's allowable.

18                   It's just a year has gone -- another  
19    year's gone by and I --

20                   FACILITATOR KERN:   Well, it's kind of  
21    like welcome to working with the Army.  I mean --

22                   MS. SEGAL:     Do we have the names of the  
23    guys that came from Huntsville originally?  Maybe they'd  
24    really be interested this looking once they've done the  
25    archive search.

1 MR. COOPER: It's not their fault at all.

2 MS. SEGAL: I know. I'm saying maybe if  
3 we interest them since they came out originally and took  
4 possession of the canisters.

5 MR. COOPER: Um --

6 MS. SEGAL: It seems to me the whole  
7 thing was taken away from them for the archive search.

8 MR. COOPER: Which was appropriate. They  
9 don't write archive search reports. They analyze them  
10 and assess risk.

11 The Army went through the steps. They  
12 hired the people from the St. Louis office to write the  
13 archive reports. That process was fine.

14 It was since October of 2003 when the  
15 archive search report was released, we thought we were  
16 going to get this memo from Huntsville to say the  
17 relative risk and this is what's important to worry  
18 about and et cetera, but anyway, I don't want to sound  
19 like a --

20 FACILITATOR KERN: I know. I guess I  
21 would recommend that having received that information  
22 from Bruce, that you probably have any number of  
23 alternatives that come to mind.

24 I think we could spend a little time  
25 generating alternatives that we could pursue. We



1 generate all those alternatives, come together and try  
2 to strike a course as to how we can work together to get  
3 the best solution for this.

4 I mean, because I think it is well within  
5 the power of this group to get a good result here --

6 MR. COOPER: Mm-hmm.

7 FACILITATOR KERN: -- really.

8 MR. COOPER: So I just wanted to mention  
9 that, and the other -- can I switch gears?

10 FACILITATOR KERN: Yes.

11 MR. COOPER: The other thing just real  
12 fast, the March committee meeting -- Mark, let's talk  
13 about potential agenda items for March committee  
14 meeting. That way we can start this whole concept of  
15 thinking in advance, is that one thing that I do know  
16 for sure that's on our March committee meeting is our  
17 presentation of the Mountain Lake Tee grant project  
18 statement, and it's -- basically that meeting's going to  
19 happen March 22nd, and my goal is to submit the project  
20 statement to Caltrans in early April.

21 So it will be our -- my -- our last  
22 opportunity for us to brainstorm. We're going to  
23 present -- I'll bring the folks from CDM. They'll  
24 present it and we'll get some input from you guys, and  
25 I'm going to package it up and mail to it Caltrans.

1           We've got to keep pushing on that. The  
2 Caltrans people are starting to get edgy to say the  
3 least, so -- and I don't know what else is on the agenda  
4 for March committee meeting.

5           MR. YOUNGKIN: Your suggestion was  
6 207/231 draft CAP?

7           MR. COOPER: Correct. Not necessarily  
8 the CAP per say, but more going over the data report  
9 that we issued last year and just kind of getting folks  
10 familiar with the site.

11          MR. ULLENSVANG: The beginning of the  
12 discussion.

13          MR. COOPER: Beginning of the discussion,  
14 yeah.

15          MR. BERMAN: Also were there any  
16 surprises in the RAP through CEQA?

17          MR. COOPER: No.

18          MR. BERMAN: Okay.

19          MR. COOPER: We think it's all --

20          MR. BERMAN: Not all formal.

21          MR. COOPER: Yeah. There's a lot of work  
22 went into it. I'll say that.

23          MR. BERMAN: I mean --

24          MR. COOPER: No potential significant  
25 impacts. We've thought through a lot about how to set

1 up our project scope to make sure that we're, you  
2 know -- we're generating potential impacts right into it  
3 and addressing the potential impacts.

4 FACILITATOR KERN: So -- okay. That's --  
5 very good. I think we will look at, you know, these  
6 sites and confer and --

7 MR. COOPER: Right.

8 FACILITATOR KERN: -- develop our new  
9 agenda stuff and get questions.

10 MR. COOPER: And if you advise me on how  
11 to organize our monthly updates, a template that  
12 everyone can start getting used to, I'm open to that.

13 MR. BERMAN: Craig, a minor question  
14 about the -- the mustard gas and Army. Have there been  
15 any costs incurred by the trust --

16 MR. COOPER: Yes.

17 MR. BERMAN: -- because of this?

18 MR. COOPER: We installed a fence,  
19 mm-hmm.

20 MR. BERMAN: So they may be not big.

21 MR. COOPER: Right.

22 MR. BERMAN: But have you not billed the  
23 Army for that?

24 MR. COOPER: I have not billed them.

25 MR. BERMAN: Maybe the way to get the

1 Army moving on this is to bill them for the costs and  
2 see what they say.

3 MR. COOPER: I set up a separate charge  
4 number and -- that's probably a 30 to -- 30,000 at this  
5 point. It's not a ton of money.

6 MR. BERMAN: The Army doesn't -- doesn't  
7 want to spend another red cent here at the Presidio if  
8 they can avoid it, so if you start billing them, you  
9 might get a response.

10 MR. COOPER: Mm-hmm.

11 MS. TRIGIANI: Great idea.

12 MR. SUTTER: The Army pays millions of  
13 dollars for fences, you know, Craig, so you could really  
14 sock it to them.

15 MR. BERMAN: Toilet seats. You got the  
16 wrong thing.

17 FACILITATOR KERN: Let's check in --

18 MS. BLUM: Another comment on billing the  
19 Army. I think we lost a year in native plants, plus the  
20 salaries of nursery employees and all of those  
21 volunteers who are rated at \$50.00 an hour on the open  
22 market might be a nice chunk of change, too.

23 MR. COOPER: Terry Thomas has recommended  
24 to me that we -- you know, we've definitely charged --  
25 we had to do basically some emergency -- because the

1 resources folks weren't able to finish their vegetate --  
2 it was all part of the vegetation project, and that got  
3 stopped cold in its tracks.

4 We had to put up a fence, and we had to  
5 start some emergency soil erosion control because we  
6 found the bottles just before the rainy season was going  
7 to start. We had to put down things.

8 That definitely would get charged, but  
9 what Jan was talking about is a whole bunch of plants  
10 got redirected. The whole revegetation program has  
11 gotten blown off kilter because of this find, so I've  
12 been toying with the idea of how to bill the Army for  
13 that, and it's -- it will be a little trickier, but I'm  
14 not against it to try to up the cost of that claim, at  
15 least at this point in time.

16 FACILITATOR KERN: I'm going to see if we  
17 can capture this remaining time and get people out of  
18 here.

19 Bob and Jim. We'll start with Jim. Any  
20 comments?

21 MR. PONTON: No.

22 MR. BOGGS: I just wanted to update you  
23 that we've been having ongoing meetings regarding RAP 3.  
24 We met last week for almost four hours. We're meeting  
25 again Tuesday. That's the crux of our efforts right

1 now.

2 FACILITATOR KERN: Thank you.

3 New business? Review of the action items.

4 I think Julian's recommendation that we  
5 develop a letter of sympathy from the RAB.

6 Is there anyone that would like to take  
7 that on?

8 MR. YOUNGKIN: It should be someone good  
9 at sympathy.

10 FACILITATOR KERN: Someone who would be  
11 good at writing that letter from us to the family.

12 MS. TRIGIANI: Do you want me to draft  
13 it?

14 FACILITATOR KERN: That would be great.  
15 Thank you. I think Julie got the card together and  
16 we've designated Jan as our liaison.

17 We have a new attempt at our agenda.  
18 We've got some working groups for the Mountain Lake and  
19 the administrative group.

20 Those are -- and we've got some agenda  
21 items for the March committee meeting, Mountain Lake,  
22 Tee grant and the 207/231 daily report beginning  
23 discussion around building 207/231.

24 Are there any other thoughts before  
25 closing tonight?

1 I want to thank Craig and Jen for their  
2 reports tonight and all of you for the work again on  
3 this letter.

4 Without objection, meeting adjourned.

5 (The meeting concluded at 9:43 PM).

6 ---o0o---

1 STATE OF CALIFORNIA )

2 COUNTY OF SAN FRANCISCO )

3  
4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing hearing was taken at the  
6 time and place therein stated; that the foregoing is a  
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the  
10 foregoing hearing and caption named, or in any way  
11 interested in the outcome of the cause named in said  
12 action.

13  
14 IN WITNESS WHEREOF, I have  
15 hereunto set my hand this  
16 6 day of September,  
17 2005.

18   
19 Mark I. Brickman CSR 5527  
20  
21  
22  
23  
24  
25



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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, APRIL 12, 2005  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Brian Ullensvang

Peter O'Hara

Craig Cooper

Jim Ponton

Sam Berman

Jan Monaghan

Julian Hulgren

John Budroe

Gloria Yaros

Jan Blum

Mary Trigiani

Jack Luikart

Jerry Anderson

David Sutter

Bob Boggs

George Dies

Julie Cheever

Karen Cleek

Also Present:

John Catts

Mark Frey

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on April 12, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone to  
2 the Presidio Restoration Advisory Board meeting for  
3 April 2005.

4 Just as a word of warning about me, I have  
5 a little bit of a sinus thing going on. It's probably  
6 not contagious, but it will probably sound funny,  
7 funnier than normal, which I'm sure already sounds  
8 funny.

9 I'd like to welcome the Presidio Trust and  
10 the contractors, National Park Service, our regulatory  
11 community, RAB community members and members of the  
12 public tonight.

13 Does everyone have an agenda? And is  
14 there any discussion or additions, modifications?

15 Very well.

16 MS. BLUM: I want to ask a question.  
17 With respect to continued discussions about committee,  
18 subcommittees, would that be more appropriate for the  
19 committee agenda itself at this meeting?

20 FACILITATOR KERN: Well, I think it might  
21 lend itself to a format discussion at the committee  
22 meetings.

23 MS. BLUM: Okay.

24 FACILITATOR KERN: Are there any  
25 announcements or old business?



1           Let's move on to the planning committee  
2 report, then.

3           Would that be Mark?

4           MR. YOUNGKIN:    I wasn't there.

5           FACILITATOR KERN:   That would be more  
6 difficult for you to make a report.

7           MR. YOUNGKIN:    Jan Monaghan sent out  
8 e-mail notes --

9           FACILITATOR KERN:   Yes.

10          MR. YOUNGKIN:    -- from the meeting that  
11 night.

12          Have you had a chance to read Jan  
13 Monaghan's notes from the meeting that was held?

14          FACILITATOR KERN:   Well, it seems in  
15 general that we talked about Mountain Lake, and -- well,  
16 that's right. I did read Jan's e-mail notes and they're  
17 quite a bit more complete than I'll be able to dredge up  
18 from my memory.

19          Would there be any objection in moving on  
20 at this point without a full hearing of what we did at  
21 our committee meeting? Refer to your notes from Jan  
22 Monaghan. Is that okay?

23          I'm seeing generally no objection.

24          I think, though, I had to leave at about  
25 nine o'clock and I think after that, there was some

1 discussion about landfill E which I'll be interested to  
2 find out more what happened with that, I'm sure, and  
3 then perhaps there's ongoing discussion about that  
4 topic.

5 Let me ask about the RAB meeting format,  
6 item 4B and Mary.

7 MS. TRIGIANI: Doug, I'm sorry for my  
8 confusion, but my reference is to take that up in  
9 committee.

10 FACILITATOR KERN: All right.

11 MS. TRIGIANI: If -- that was my request  
12 was to get that on the agenda for --

13 FACILITATOR KERN: Okay.

14 MS. TRIGIANI: -- our meeting in two  
15 weeks.

16 Can we do that?

17 FACILITATOR KERN: Sure.

18 MS. TRIGIANI: Thank you.

19 FACILITATOR KERN: Very well. We're  
20 rapidly moving through the agenda now. 5A would be  
21 landfill 8 and 10 and we're to Craig, pre-release  
22 briefing and all that and I'll just try and be quiet.

23 MR. COOPER: One more minute, please.

24 FACILITATOR KERN: While Craig is playing  
25 audio-visual technician, we'll cover for him briefly by

1 noting that I received notification from the Presidio  
2 Trust that there were people out repairing the pipe --  
3 the overflow pipe into Lobos Creek, so I would like  
4 to --

5 MR. ANDERSON: Overflow from what?

6 FACILITATOR KERN: There was a sewer  
7 crossing of Lobos Creek at 22nd Avenue and there's been  
8 overflow that looked like it was directly connected to  
9 the creek.

10 So in certain circumstances, it could  
11 overflow into the creek, and I think rapid action on the  
12 part of several people contributed to the trust and the  
13 city actually getting out in the creek and looking at it  
14 and inspecting it, finding the actual site that we were  
15 talking about and repairing it. So that was a good  
16 result.

17 I'd like to thank everybody involved in  
18 it.

19 MR. YOUNGKIN: Plugging it.

20 FACILITATOR KERN: Plugging it up,  
21 mm-hmm. Very good.

22 MR. COOPER: I can't find the extension  
23 cord. It has your computer.

24 FACILITATOR KERN: Craig, do you want to  
25 actually use the paper copy?

1 MR. COOPER: Yeah. For the time being,  
2 let's do that, and then we can try unplugging the laptop  
3 and using that cord, Power Point that Bob is getting.

4 Okay. I apologize for the technical  
5 difficulty on the projector. Maybe it will be a nice  
6 change instead of having that thing buzzing at us all  
7 night long.

8 So -- so what I'd like to do -- it's been  
9 quite a while since I talked to you about the  
10 feasibility plans, feasibility study for landfill 8 and  
11 10, and in fact, it's been about a year, believe it or  
12 not. It's been quite a while.

13 So what I want to do is provide kind of  
14 a -- refresh our memories on what -- what's happening at  
15 landfill 8 and 10 and give you an idea of what the trust  
16 and the park service has been talking about over the  
17 last year with respect to the feasibility study,  
18 describe our -- the feasibility study is getting much  
19 closer now to release to the regulatory agencies -- no  
20 go.

21 MR. BOGGS: No go.

22 MR. COOPER: Hopefully this won't --

23 MR. DIES: Go ahead. Keep going.

24 MR. COOPER: I doubt it.

25 MR. FREY: If you push hard.

1                   MR. COOPER:    Shoot, because in the  
2   monthly updates, we had some great photos. Well, we'll  
3   have to just struggle along here. I guess I don't need  
4   this anymore, do I?

5                   Okay. It's the old-fashioned way.

6                   MR. BOGGS:    It will be just fine.

7                   MR. COOPER:    And so next slide. I'm on  
8   top of page 2. I'll have to tell you where I am, top of  
9   page 2.

10                  So just to kind of recap what happened at  
11   this site, you know, since 2002, and I can even -- you  
12   can start earlier than that.

13                  The Army actually wrote a Record of  
14   Decision, which is like a RAP for the sites, and back in  
15   the late 1990s and it was for the most part kind of a  
16   monitoring/no further action type -- type remedy, and  
17   under CERCLA, the law that these landfills are regulated  
18   under, every five years when you leave waste in place,  
19   whether it's capped or monitored or whatever, CERCLA  
20   requires that you -- that you go back and check to make  
21   sure that your remedy's protective of human health and  
22   the environment.

23                  So back in 2002 and 2003, that's what the  
24   trust did and we did a five-year review investigation  
25   and then we came out in February 2004 of a five-year

1 report and it was very extensive -- and the results of  
2 that five-year report basically concluded that the  
3 Army's old remedies were not protective of human health  
4 and the environment.

5 So we immediately began working on  
6 thinking of better, more protective remedies for these  
7 landfills since the Army's remedies were deemed  
8 unprotective.

9 So we actually -- in February of 2004, we  
10 met with you guys, and basically very, very  
11 preliminarily presented, you know, the outline of the  
12 feasibility study and your basic, you know, alternatives  
13 that go into your landfill into a feasibility study for  
14 landfills, and -- and then the trust actually worked on  
15 preparing a feasibility study for this, and it was a  
16 draft -- a draft was released just to the park service  
17 and the trust at that time, and just reading that draft  
18 feasibility study -- I'm now on the bottom slide of page  
19 2 -- the trust and the park service, there's a lot of  
20 issues that we need to work out on this feasibility  
21 study before we could even internally decide what the  
22 preferred alternative would be.

23 So the issues that park service and the  
24 trust realized when we looked at the first internal  
25 draft is that the -- we need to work up a lot harder and

1 coordinate with our -- the trust and park service land  
2 use people with respect to landfill 10, because landfill  
3 10 has two different land uses on it, and in fact -- if  
4 I had the Power Point presentation, we could look at a  
5 map, but everyone knows where landfill 10 is? The  
6 parking lot by Public Health Service Hospital.

7 The parking lot is kind of sloped as you  
8 see coming in, and so the land use for the parking lot  
9 area is residential, you know, parking lot type use.  
10 Landscaped.

11 It's in the landscape zone of the BMP, and  
12 then when you -- then when you go down the slope of the  
13 landfill, the land use changes to recreational and  
14 native plant zone in the BMP.

15 So it's -- the site -- think of the  
16 landfill. It's kind of cut into two land use zones,  
17 yeah.

18 FACILITATOR KERN: You have a question  
19 when you have a break.

20 MR. COOPER: Yeah. We can do questions  
21 now.

22 MR. BERMAN: Okay. Could you just  
23 comment and say what particular components of the -- of  
24 the Army's ROD actually failed to cover the human health  
25 concerns? I mean, was it pesticides?

1           MR. COOPER:    We found -- yeah --  
2 chemicals of concerns in surface soil basically at both  
3 sites, and those chemical concerns -- just from my  
4 memory, there's pesticides at 8, and at 10, metals.

5           MR. ULLENSVANG:   There's pesticides at 10  
6 and metals.

7           MR. COOPER:    And metals, right.

8           MR. BERMAN:    But the Army supposedly had  
9 sampled for the metals, right? I don't know about the  
10 pesticides, but hadn't they done some sampling there?

11          MR. COOPER:    Boy, I'd have to --

12          MR. ULLENSVANG:   At landfill 8, they had  
13 not sampled the surface soil, and -- or they had not  
14 sampled the actual waste. They had sampled below the  
15 waste.

16          MR. COOPER:    Oh, that's right.

17          MR. ULLENSVANG:   So there was a quantity  
18 of material that was the issue that hadn't been really  
19 tested, and at landfill 10, there were other issues with  
20 respect to stability of the site.

21          MR. COOPER:    Right.

22          MR. ULLENSVANG:   In a seismic event,  
23 would it survive? There were tolerable amounts of  
24 deformation or was it a threat to human health through  
25 risk to the creek or failure of the slope under a large



1 earthquake.

2 And so those are really the areas that the  
3 trust study identified weaknesses.

4 MR. COOPER: Right.

5 MR. ULLENSVANG: And the chemicals that  
6 might be exposed to land instability at landfill 10.

7 MR. COOPER: And both sites are in the  
8 eco special status zone which causes our cleanup levels  
9 to be, you know, extremely low when it comes to  
10 pesticides and, you know, it's our lowest -- our most  
11 stringent group of cleanup levels.

12 MR. ULLENSVANG: The Army for neither of  
13 the sites had established cleanup levels to compare the  
14 values to. They just looked at what they said and they  
15 said it looked good enough. They used more words than  
16 that. They didn't have a set criteria to compare it to.

17 MR. COOPER: Okay. So that was --

18 MR. BERMAN: Fine.

19 MR. COOPER: That's kind of the --

20 MR. BERMAN: It's sort of strange that  
21 they would actually issue a ROD without having a  
22 criteria.

23 So it was just -- I mean, it's just to get  
24 rid of it, basically. They didn't have to do that.

25 FACILITATOR KERN: It was done right at

1 the formation of the RAB, right near the very beginning.  
2 I think it was one of the first things we had a chance  
3 to look at, and it was kind of like it was being rushed  
4 through.

5 MR. COOPER: Okay.

6 MR. BERMAN: Thanks.

7 MR. COOPER: So those are the CFCs, and  
8 as you can see, one of the issues that we wanted to  
9 continue to look at -- I'm still on the second, the  
10 bottom slide on page 2 -- is slope stability of landfill  
11 10.

12 We felt that maybe the analysis in that --  
13 in the initial F -- the internal F/S needed some more  
14 work and thinking in that particular issue.

15 Also quality and sand for landfill covers.  
16 If we did do a -- a cover on these landfills, what would  
17 be an appropriate cover material that would be suitable  
18 for the land use that it's in for the native plant zone  
19 that both of these landfills are in.

20 So that took some research and some  
21 discussion because importing sand is very expensive and  
22 the whole Golden Gate Park sand issue -- opportunity  
23 arose shortly thereafter.

24 We also took a look at -- you know, we  
25 needed to think a little harder about methodologies for

1 slope stability at landfill 10, what type of methodology  
2 is necessary, if one is necessary at all.

3           There's different ways to assure that a  
4 landfill will withstand a seismic event, and you can use  
5 things like a buttress, which is, you know, either an  
6 earthen or otherwise structure to hold the landfill in  
7 place, pin piles are pins that you basically drill right  
8 into the landfill, big metal rods that you can think of  
9 it that way, or there's different ways to kind of cut  
10 back the slope, because the slope's really steep right  
11 now which makes it -- increases its instability.

12           So you can make the slope less steep  
13 and -- which generally would increase its stability, or  
14 you can take a look at, you know, moving soil or  
15 removing soil, also.

16           So slope stability has been a big topic of  
17 conversation internally for the last year or so.

18           And there's natural resource issues that  
19 we needed to think a lot harder about, as well.

20           As you know, the Lessingia plant lives  
21 very near both landfills that we needed to -- our  
22 initial consultation with the Fish & Wildlife Service  
23 with respect to Lessingia habitat in respect to landfill  
24 10 was incomplete. We did an initial consultation a few  
25 years ago.

1           In landfill 10, it was basically we needed  
2 to revisit that subject if we wanted to change the  
3 remedy. Here we are changing the remedy, so we needed  
4 to revisit the subject of talking to Fish & Wildlife  
5 Service, and we had to -- we've actually started to do  
6 something called a biological assessment, which is the  
7 talking piece that you use with Fish & Wildlife Service  
8 to explain to them if you're going to run over some  
9 Lessingia, this is what we're going to do to mitigate  
10 that, you know, make new Lessingia habitat, et cetera.

11           As you know, these were some pretty big  
12 ticket items which took some serious time the last year,  
13 so it's kept us busy.

14           So, for example, what did we actually do?  
15 I'm on the top of page 3 now.

16           The trust prepared a technical memorandum  
17 analyzing various slope configurations if we are going  
18 to go for a cover, you know, how -- if we wanted to take  
19 a look at, you know -- there's the buttress, the pin  
20 piles and then cutting back the slope.

21           So if we're going to cut back the slope,  
22 how do we want that slope to look? And there's dig  
23 configurations of three to one slope or four to one  
24 slope or two to one slope or whatever, you know.  
25 Different steepness of the slope and different kinds

1 kind of looks of the landfill.

2 How do we want that finished product to  
3 look, and what combination between the aesthetics and --  
4 and improvement of stability.

5 So we did a technical memorandum of that,  
6 and that technical memorandum will be attached to the  
7 feasibility study when it -- when it goes out so you can  
8 see some detail, you know, kind of engineering analysis  
9 that we kind of -- that kind of went into looking at  
10 different configurations.

11 And we also came up with a much more  
12 elaborate and detailed set of alternatives, and which  
13 I'll talk about in more detail, especially for landfill  
14 10.

15 You know, so it's not just, you know,  
16 alternative 2, landfill cover. We'll have alternative  
17 2A, 2B, 2C, 2D. I'll explain some of those some more.

18 So it's really -- that feasibility study  
19 when it comes out, you'll have a lot more -- you'll have  
20 several alternatives to consider when we look at that.

21 MR. BERMAN: Craig, who was the  
22 consultant on the seismic evaluation?

23 MR. COOPER: Mm-hmm. They're called  
24 Golder & Associates.

25 MR. BERMAN: Yeah. So you've used them

1 before here on some other projects; right?

2 MR. ULLENSVANG: Yes. They work with  
3 EKI, the trust.

4 MR. COOPER: Right, yeah. EKI is our  
5 consultant who's actually writing the feasibility study,  
6 but Golder is basically providing all the technical  
7 backup for these slope stability analyses,  
8 configurations, looking at, you know, -- yeah, the  
9 technical backup about each alternative, because you  
10 need that to run it through the evaluation criteria.

11 MR. BERMAN: So that's something that  
12 Golder itself can't do? I mean, EKI, in a sense, you've  
13 got two big companies here, one feeding into the other,  
14 and that change is necessary in order to get the F/S  
15 out?

16 MR. COOPER: It's not really necessary.  
17 In fact, I'm looking at just -- once we maybe get  
18 through the F/S and the RAP, that EKI would go away.

19 If we continue to be satisfied with  
20 Golder's work, when we go to remediation design, it will  
21 just be all Golder.

22 MR. BERMAN: Because they're essentially  
23 doing most of the work; right?

24 MR. COOPER: Right. They're doing all  
25 the technical -- they're just a sub to EKI right now.

1                   MR. ULLENSVANG:    They're doing the  
2 seismic and geotechnical analysis of the alternatives,  
3 and EKI is packaging --

4                   MR. COOPER:     Right.

5                   MR. ULLENSVANG:   -- and looking at the  
6 other factors that go into it. It's not just seismic.  
7 So EKI is doing a fair amount of work.

8                   MR. COOPER:     Right. Okay. So I'll tell  
9 you more about these subalternatives in a minute here.

10                   We also -- as we started -- as Golder and  
11 EKI were putting together this technical memorandum,  
12 looking at different slope configurations, and as we met  
13 with, you know -- we hired a consultant to help us with  
14 this biological assessment on endangered species and we  
15 also started to take a look at -- so not only the slope  
16 of landfill 10, but the top part, you know, we wanted to  
17 coordinate our thinking with the planning department  
18 with respect to if -- are they going to keep a parking  
19 lot there?

20                   If so, what's your basic configuration of  
21 the parking lot, and we also met with trust people about  
22 maybe there'll be a trail -- the trail's planned.

23                   The Presidio trails plan has a trail that  
24 cuts across this particular area, also. We need to  
25 incorporate that into our thinking process, and the

1 trust planning department suggested that maybe we could  
2 have an overlook there, as well, because it's a great  
3 view of the Lobos Creek valley from that -- from the  
4 parking lot area.

5 So those were all things. What we did is  
6 we've been meeting with trust and park service natural  
7 resources people and planners about all these issues, so  
8 that -- of course and then by doing so, that helps us  
9 with the alternatives analysis and the feasibility study  
10 and kind of sorting through which alternative works out  
11 best.

12 And in the last couple months, we've  
13 basically been setting up weekly meetings with Golder  
14 and EKI. Chris Nelson is my project manager on this,  
15 and Brian, they've been -- because it's one thing to try  
16 and -- last year, we had these kind of big, big picture  
17 meetings with planners and resource people and stuff  
18 like that and our -- and our technical consultants.

19 Then it's about following through on those  
20 issues. You get, you know, action items and consensus  
21 in these meetings, and then following through, that we  
22 get written up in the feasibility study in the way that  
23 we all kind of talk about in these planning meetings  
24 last year.

25 So I think that's why we didn't -- we've



1    been having weekly meetings to make sure that the  
2    feasibility study stays on course with what had been  
3    talked about with all these external parties that we've  
4    been coordinating with. So that's basically what we've  
5    been doing over the last year.

6                    Any questions on that before I go into  
7    the -- what's -- what kind of a sneak preview of the  
8    feasibility study itself?

9                    So just as -- I'm on the bottom slide of  
10   page 3 now. Just as a basic reminder, feasibility  
11   studies, what we do is they identify and evaluate  
12   remedial alternatives for each site, incorporating new  
13   information.

14                   So we have new information regarding the  
15   five-year review. We've got new information from our  
16   planners and resource people. We have new information  
17   from the technical memorandum looking at slope stability  
18   and so on.

19                   All that goes into the feasibility study,  
20   and you start to identify remedies, remedial  
21   alternatives from that.

22                   We'll run those remedial alternatives  
23   through the evaluation criteria. You know all about  
24   that stuff from previous feasibility studies, and then  
25   we'll recommend a -- our -- the trust preferred remedial

1 alternative.

2           So I know this would have been a lot  
3 better if the projector was working, but this is a  
4 picture of landfill 8, and there's a couple features I  
5 want to point out to you is that the landfill is the  
6 larger kind of -- I don't know. Mickey Mouse ears  
7 time -- upside down, it looks like Mickey Mouse ears.

8           MR. FREY:    The manatee.

9           MR. COOPER:   People call it a manatee.  
10 It's the larger outline. We actually -- through the  
11 five-year review, the edges of the -- the footprint of  
12 the landfill we realized was a little bit bigger than  
13 what the Army had originally thought, so that's the --  
14 the boundary of the landfill.

15           Then that kind of odd shaped polygon in  
16 the middle. You know what I'm talking about? This  
17 thing here in the middle, that's the estimated  
18 boundaries of the -- of cemetery that is underneath this  
19 landfill.

20           FACILITATOR KERN:   That's up in the  
21 bottom picture.

22           MR. COOPER:   Correct, yeah. So you can  
23 kind of see the landfill is pretty much smack dab over  
24 on top of the cemetery, and then a term that we've been  
25 using, and I'll be using again, these two edges on the

1 sides of the landfill, we call those the wings of the  
2 landfill.

3 It's not really a technical term. It's  
4 just a way to describe these two far edges of the  
5 landfill that are actually quite thin in thickness, and  
6 we think that we can kind of -- we kind of broke those  
7 out with a special name because when we took a look at  
8 alternatives, we thought there could be some  
9 opportunities in dealing with the wings differently than  
10 the central portion of the landfill since the central  
11 portion is overlying the cemetery.

12 Okay.

13 FACILITATOR KERN: It appears that  
14 there's two configurations of the cemetery which I can  
15 see it is in the legend, but I can't quite read what  
16 that says.

17 MR. COOPER: Yeah, no.

18 MS. BLUM: Thank you.

19 MR. COOPER: The dash up here at the dash  
20 line and this dash line, it stays the same as far as our  
21 estimate of the dimensions of the cemetery, and then the  
22 hash mark has a different meaning that will show up in  
23 the -- it's associated with one of the alternatives --

24 FACILITATOR KERN: Okay.

25 MR. COOPER: -- where we do a cover in

1 the middle part and not -- we do something else with the  
2 wings.

3 FACILITATOR KERN: Okay.

4 MR. COOPER: Okay. All right. That's  
5 the general concept.

6 So what -- as a preview of the  
7 alternatives now that we're looking at landfill 8, I'm  
8 on the top of page 5, the --

9 MR. ANDERSON: How confident are you of  
10 the outline of the cemetery?

11 MR. COOPER: It's, you know, to the best  
12 of our knowledge. We did -- I think it's just placed by  
13 aerial photographs.

14 MR. ULLENSVANG: It was a combination  
15 of -- there's been a couple of investigations, one that  
16 the Army did in the early '90s that they actually did  
17 you go down and tried to determine where graves were.

18 There's been some old mapping done from  
19 previous days, and I think those are the two main things  
20 that we established where it was.

21 MR. COOPER: There was never any work,  
22 though, to try to define the edges of the cemetery,  
23 yeah.

24 MR. YOUNGKIN: There's fence posts --  
25 isn't there -- in one corner the original fence post is

1 sticking out of the ground?

2 MR. ULLENSVANG: Maybe. I don't remember  
3 that, but it's possible.

4 MR. COOPER: So it's estimated, yeah.  
5 It's definitely estimated.

6 As you know, during the five-year review  
7 when we did some trenching, we discovered some parts of  
8 a body. So we know it's a real thing. The cemetery is  
9 definitely underneath a portion of landfill 8.

10 Whether, you know -- you know, it might  
11 move around a little bit, but this is -- to the best of  
12 our knowledge, it's in this section there.

13 So alternatives is -- the first one is the  
14 one that we always have to do is the no action.

15 The second one, as you can see, it has a  
16 part A and a B, and this is a cover alternative with  
17 a -- what we call a permeable cover. 2A is -- we  
18 construct a permeable cover over the entire landfill 8,  
19 and 2B is consolidate the waste which would mean push  
20 the waste in from the wings and kind of mound it up, you  
21 know, so you have a smaller footprint and then just put  
22 a cover over the consolidated area.

23 So the idea is to push -- under 2B is to  
24 push the wings in and then put a landfill cover, a  
25 permeable landfill cover over -- over that.

1                   Okay. Everyone understand 2A and the 2B?

2                   And by "permeable cover," we basically  
3 mean something like, you know, some kind of soil --  
4 suitable soil material.

5                   Permeable means that water would be able  
6 to, you know, trickle through it, and so basically the  
7 i -- the primary goal of a permeable cover is to cover  
8 the -- those exceedences of metals and pesticides, so  
9 there isn't a direct contact with those anymore.

10                  MR. SUTTER:    Craig.

11                  MR. COOPER:   Yeah.

12                  MR. SUTTER:    To do a cap, what's the  
13 advantages of consolidating the landfill as opposed to  
14 just doing a cap over it?

15                  MR. COOPER:    The advantages is then you  
16 would have less surface area to build the cap over. If  
17 you push it in and push those wings in, then your total  
18 amount of surface area that you have to cover with a cap  
19 becomes smaller, so your capital costs for the cap go  
20 down, but that gets balanced capital cost of the -- you  
21 know.

22                  MR. SUTTER:    That's what I'm getting at.  
23 Is there significant cost differential?

24                  MR. COOPER:    It depends on how much waste  
25 you're moving and how much surface area -- if the wings

1 are very thin, then you're not moving, you know -- it  
2 should -- it's relatively cheap to push that waste in,  
3 and then -- and for a perhaps significant decrease in  
4 total surface area that needs to be covered.

5 MR. SUTTER: Right, and --

6 MR. COOPER: But the feasibility study  
7 gets into that level of detail. This is just a brief  
8 overview about kind of the issues that, you know, each  
9 alternative will grapple with, but the feasibility study  
10 puts dollars to each of these alternatives obviously,  
11 and you'll see line items for cost to consolidate and  
12 unit costs for covering surface -- landfills by surface  
13 area.

14 MR. SUTTER: Yeah, and will the  
15 feasibility study evaluate potential because of  
16 perturbation of the waste from impacts on groundwater  
17 from that consolidation process?

18 MR. COOPER: Of the consolidation  
19 process?

20 MR. SUTTER: Yeah.

21 MR. COOPER: We don't see that as an  
22 issue.

23 MR. SUTTER: I believe the assumption  
24 will be that the waste at this point is not leaching  
25 into groundwater, so moving it would not increase its

1 leachability.

2 MR. COOPER: Right.

3 MR. ULLENSVANG: That's kind of an  
4 assumption that goes into it.

5 MR. COOPER: Right.

6 MR. SUTTER: I guess my question is:  
7 Will that assumption be evaluated?

8 MR. ULLENSVANG: I'm not sure.

9 MR. COOPER: It can be discussed.

10 MR. ULLENSVANG: I'm not even sure how  
11 you would evaluate it.

12 MR. COOPER: So your concern is that if  
13 we move the waste, then it would like make it more  
14 mobile?

15 MR. SUTTER: You move it around. Would  
16 there potentially possibly be a greater impact upon  
17 intrusion into groundwater than if you just leave it  
18 there and cap it?

19 MR. YOUNGKIN: Groundwater monitoring  
20 would show that.

21 MR. COOPER: I don't think so. The act  
22 of moving the waste to consolidate it does not make it  
23 more mobile.

24 MR. ULLENSVANG: We could talk to EKI  
25 about it and see if that could be included in the



1 evaluation.

2 MR. COOPER: Yeah. There's definitely  
3 the risk when you move waste of just air emissions and  
4 dust and things like that. There's definitely analyzed  
5 in the feasibility study.

6 MR. BERMAN: But the wings -- you said  
7 that the waste was rather thin, so presumably it's a  
8 long way between the waste bottom and -- and the  
9 groundwater, you know.

10 MR. COOPER: Right.

11 MR. ULLENSVANG: And the issue would be  
12 if we moved it -- Dave was saying if you moved it on top  
13 of the center of the waste, would it become more mobile.

14 MR. SUTTER: Mm-hmm.

15 MR. ULLENSVANG: In some regard and have  
16 a higher threat to groundwater than it would have if you  
17 didn't move it.

18 MR. COOPER: Right.

19 MR. ULLENSVANG: I think there's  
20 certainly something that could be -- I don't know  
21 exactly how the evaluation would go, but it could be  
22 included in the discussion of the pros and cons.

23 MR. COOPER: Under short-term  
24 effectiveness. It's like we look at air emissions and  
25 things like that for short-term effectiveness.

1 MR. ULLENSVANG: As if there might be  
2 increased threat to the groundwater from disturbance of  
3 waste.

4 FACILITATOR KERN: Jerry.

5 MR. ANDERSON: It seems like we've kind  
6 of assumed that putting a trash heap on top of the  
7 cemetery wasn't a good thing to begin with, but moving  
8 the wings in to consolidate it just -- somehow it  
9 doesn't quite seem right, and if you could take waste  
10 from those spots and pile it on the cemetery, how's that  
11 any different than taking waste from any other landfill  
12 on the -- on the Presidio and using that as a --

13 MR. ULLENSVANG: Craig's just going  
14 through the different ranges of alternatives.

15 MR. COOPER: Right. Consolidation is a  
16 very common thing, common --

17 MR. ANDERSON: Yeah, but the cemetery is  
18 not a common thing.

19 MR. COOPER: Correct. And our  
20 feasibility study definitely acknowledges the cemetery  
21 and we take a look over that active pushing waste on to  
22 the cemetery is something that the feasibility study  
23 discusses, right.

24 MS. BLUM: Craig, I'm sorry to keep  
25 asking questions. I just want to understand the scope.

1                   Are you going to be digging up that  
2 parking lot? That is landfill 8; isn't it? You'll be  
3 digging up the parking lot.

4                   MR. COOPER:   Mm-hmm. Well, if we -- a  
5 couple of the alternatives has the parking lot that  
6 Jan's talking about is -- it's where the trust has a  
7 composting facility right now, and there's a tennis  
8 court nearby, you know, behind the Public Health  
9 Hospital.

10                  If you ever drive down there off Battery  
11 Caulfield Road. You'll see these piles of manure and  
12 bark, basically. That's our composting facility and  
13 it's on a parking lot.

14                  Jan, to answer your question, a couple of  
15 our alternatives of our alternatives take a look at  
16 basically -- we'll have the composting facility getting  
17 bumped out of there.

18                  That's an issue where I'm also working  
19 with planning on where to put the trust composting  
20 facility since it can't stay on landfill 8 any longer.

21                  So if we end up -- I guess if we select --  
22 we're telling them that they got to move. We've already  
23 got them going on that one.

24                  So -- but there's a couple alternatives to  
25 take a look at, complete removal of the asphalt and, you

1 know, clean closing that area where the parking lot is.

2 So when we -- when the feasibility study  
3 gets released, we can identify -- we'll get into a lot  
4 more detail about the actual implications of each  
5 alternative and which one, what means what with each  
6 one.

7 Okay. So --

8 MR. BERMAN: Craig, how -- how far down  
9 is the groundwater?

10 MR. COOPER: Yeah. That's what I was  
11 going to answer Dave's question. I wanted to -- do you  
12 know off the top of your head?

13 MR. ULLENSVANG: Not off the top of my  
14 head, no.

15 MR. BERMAN: Is it below the cemetery?

16 MR. COOPER: I would assume so.

17 MR. FREY: I think it's like twenty feet  
18 down at that point.

19 MR. COOPER: Twenty feet down below  
20 ground surface.

21 MR. ULLENSVANG: I just don't know.

22 MR. BERMAN: The cemetery's already ten  
23 or twelve feet; right?

24 COMMISSIONER FRY: I'm not sure.

25 MR. COOPER: What's that?

1                   MR. BERMAN:    It's a long way from the top  
2 of the -- from the top of the -- of the heap there down  
3 to groundwater, and any -- any -- so any water that --  
4 surface water that would carry that stuff that you --  
5 that you've compacted would have to go through the top  
6 of the heap and then pass through the cemetery and -- to  
7 get down to the groundwater.

8                   I mean --

9                   MR. COOPER:    Right.

10                  MR. BERMAN:    -- that seems to be, you  
11 know, a long way. I mean, it's really -- the really  
12 bothersome thing is the ethical question that Jerry  
13 brings up --

14                  MR. COOPER:    Right.

15                  MR. BERMAN:    -- which is it was bad  
16 enough to dump on the cemetery in the first place, so  
17 now having allowed that, you just think that you can  
18 continue to be evil.

19                  FACILITATOR KERN:   The groundwater, it  
20 varies there quite a lot seasonally. The winter, it's  
21 up close to the ground surface.

22                  MR. BERMAN:    So the groundwater is  
23 actually swimming over the cemetery?

24                  FACILITATOR KERN:   Well, I think things  
25 have changed in that area. There's been a parking lot

1 and there's been modifications that might actually cause  
2 it to kind of dam up and stuff, so it could. It could  
3 be saturated at first.

4 MR. ULLENSVANG: And that groundwater in  
5 that area is monitored every quarter for depth, so I  
6 think we just don't have that data tonight.

7 MR. COOPER: Right.

8 MR. ULLENSVANG: But it's something that  
9 we can talk about or definitely in the five-year review.

10 MR. PONTON: In the groundwater report.

11 MR. ULLENSVANG: In the groundwater  
12 report.

13 MR. COOPER: Okay. So alternatives 3A --

14 MR. BERMAN: This is a major issue, then.  
15 A major issue is -- or is it? The potential for -- for  
16 contamination reaching groundwater, is that a major  
17 issue?

18 Because a cap is not going to have any --  
19 have any value for looking at that problem?

20 MR. COOPER: Oh, sure. A permeable cap  
21 doesn't, but, you know -- alternatives 3A and 3B are low  
22 perm caps.

23 MR. BERMAN: Right.

24 MR. COOPER: Which do address the issue  
25 of groundwater.

1                   Okay.

2                   MR. BERMAN:    So, I mean, if the  
3 groundwater issue was -- was of concern, then wouldn't  
4 that be the driving point sort of eliminate alternative  
5 2 completely?

6                   MR. COOPER:    If we thought that  
7 threatened groundwater quality was a major concern, an  
8 active exposure pathway, then alternative 2, the  
9 permeable cap, would not be looked at in a favorable  
10 way.

11                  MR. BERMAN:    Yeah, okay. I'm just trying  
12 to grasp the issues here.

13                  MR. COOPER:    Right. But based on our --  
14 just -- based on our understanding of the groundwater  
15 monitoring that we've taken to date is that -- that the  
16 waste has not caused any groundwater contamination --

17                  MR. BERMAN:    Mm-hmm.

18                  MR. COOPER:    -- or any significant  
19 groundwater contamination.

20                         So we think that 2A is in play -- the  
21 permeable cover is in play equal with the, you know, low  
22 perm or even -- may -- a low perm may not be necessary  
23 at this site.

24                         So anyway, that's what 3A and 3B are about  
25 is that putting -- it's the same concept as 2, but the

1 type of cap that we build over the top of it would have  
2 a layer that would be -- would inhibit, you know,  
3 rainfall from getting into the waste.

4 Okay. Then alternative 4 on the bottom of  
5 page 5 is your standard clean closure alternative, if  
6 you will excavation, segregate, recycle to the extent  
7 you can and monitor groundwater.

8 That's our conventional clean closure  
9 remedy, and then 5A is another idea, basically, and 5A  
10 and 5B, one idea when we were looking at the waste  
11 profile before is that maybe we could just partially  
12 excavate, take off the top of the -- of the landfill,  
13 basically, and remove the wings totally and then build a  
14 cap over the remaining part of the landfill.

15 So that's what 5A is about, and 5B is  
16 let's just take -- clean close the wings, haul -- dig  
17 them up, haul them away. Don't consolidate, basically.  
18 Don't put waste on top of the landfill. Clean close --  
19 up the wings, haul that away and just build your cover  
20 over the central portion of the landfill where the  
21 cemetery is.

22 Everyone understand kind of the concepts  
23 between 5A and 5B?

24 MR. HULTGREN: Would that essentially  
25 mean take everything down to the cemetery and then



1 putting a landfill -- putting a cover over the cemetery?

2 MR. COOPER: For 5A?

3 MR. HULTGREN: Mm-hmm.

4 MR. COOPER: 5A is basically taking  
5 off -- I don't know.

6 MR. ULLENSVANG: I don't think it's all  
7 the way to the cemetery. So the soil cover doesn't  
8 stick up. So you lower the base so you wouldn't have a  
9 mound there. It would be -- similar to what the  
10 existing topography is.

11 MR. COOPER: Okay. Got you.

12 MS. BLUM: At what point in the  
13 conversation on landfill 8 alternatives does culture  
14 resources weigh in, like Fort Point Historic Association  
15 and their MOU with the Presidio? Where does that fit in  
16 with this? Are they in agreement with these potential  
17 remedies or do you talk to them later? How does that  
18 work? Because this is a major cultural area.

19 MR. COOPER: Right.

20 MS. BLUM: As well as a very important  
21 ecological area.

22 MR. COOPER: I think what the trust would  
23 do is when we get the draft feasibility study sent out  
24 to the RAB and the regulators, it will have a  
25 recommendation -- we'll recommend one of these

1 alternatives, and then Chris and I would go to NSCARE --  
2 that's our NEPA and National Historic Preservation Act  
3 Compliance Group -- and then we'll do a briefing for  
4 them on, you know, what our feasibility study says.

5 MS. BLUM: Okay.

6 MR. COOPER: So we'll get feedback from  
7 them at that point in time on the draft feasibility  
8 study, yeah.

9 MS. BLUM: If they say, "We don't like  
10 this at all," then did you waste time? Is that the way  
11 the process works or could you accelerate their feedback  
12 into the process so you can be sure that some of the  
13 alternatives you're presenting are more appropriate for  
14 that particular site?

15 MR. COOPER: Yeah. With the Fort Point  
16 people, you know, where we ran into a snag with them on  
17 fill site 6A was mostly they were concerned about the  
18 aesthetic -- the aesthetics of the cultural landscape  
19 that we were going to leave behind by implementing our  
20 clean closure remedy.

21 So you make a good point, is that maybe  
22 when I present these alternatives and the preferred  
23 alternative, you know, for the cultural landscape  
24 people, they're going to have to get an idea of what's  
25 it going to look like when you're done, you know, and I

1 think that's the conversation that I should start early  
2 with these folks instead of, you know -- at fill site  
3 6A, we didn't start that conversation until much later  
4 in the lab process.

5 MS. BLUM: I think they'd be very upset  
6 about the disturbing part than almost anything at the  
7 very onset.

8 MR. COOPER: Right.

9 MS. BLUM: Disturbing.

10 MR. COOPER: Okay. Thank you. I think  
11 you're right on that. I have talked to, you know --  
12 just internally with our archeologist and cultural  
13 people and they're concerned about any disturbance of  
14 the cemetery, also.

15 That would be a -- the ARARs that will  
16 kick in if we tried in disturbing the cemetery, several  
17 ARARs would kick in.

18 MS. TRIGIANI: I'm sorry, but wouldn't  
19 any of these disturb the cemetery?

20 MR. COOPER: The alternative 4 would --  
21 could potentially disturb the cemetery, because we --  
22 before we did our five-year review and do the trenching,  
23 we thought it was waste, you know, soil and then  
24 cemetery.

25 MS. TRIGIANI: Oh.

1 MR. COOPER: After doing the trenching  
2 for the five-year review, I'm not -- we're not so sure  
3 anymore.

4 For some reason -- and I don't know the  
5 answer to this exactly -- is that there appears to be  
6 bodies somehow up at a higher elevation than what we  
7 thought, and so that's -- you know, otherwise we  
8 wouldn't -- we did not expect to hit that corpse when we  
9 were doing our trenching.

10 MS. TRIGIANI: So this might be waste or  
11 not, but it all might be cemetery based on whatever  
12 shifts in the --

13 MR. COOPER: Yeah. I don't think -- you  
14 know, hopefully the bodies are just not a couple feet  
15 below the ground surface. They're down deeper, but I  
16 can't -- our old conceptual model, they were definitely  
17 distinct units is now broken down to some degree.

18 MS. TRIGIANI: That's why I'm saying if  
19 there are no distinct layers, the way I'd define it,  
20 that's all cemetery.

21 Do you see how I'm thinking?

22 MR. ULLENSVANG: The borings suggest that  
23 there is some layering.

24 MS. TRIGIANI: Okay.

25 MR. ULLENSVANG: I don't think it's

1 necessarily now one mixed area, but what Craig is saying  
2 is we cannot be a hundred percent. Maybe some  
3 intermingling of the locations to some degree.

4 MS. TRIGIANI: What I'm saying is for the  
5 cultural aspect, then, it's possible that given any sort  
6 of shift and even if there still are distinct layers,  
7 but if there's been intermingling, some folks might  
8 define it, then, as that entire mask a cemetery. That's  
9 all I'm suggesting.

10 MR. COOPER: They could. It would be  
11 really kind of their call on how they want to protect  
12 that resource.

13 MS. TRIGIANI: Exactly.

14 MR. COOPER: I can't -- yeah.

15 MS. TRIGIANI: I'm just saying to me that  
16 seems like more than a remote possibility.

17 MR. ULLENSVANG: And it's certainly not a  
18 trivial problem. It's a very significant problem, both  
19 cultural and other.

20 MR. COOPER: Right.

21 MR. BUDROE: Craig.

22 MR. COOPER: Yes.

23 MR. BUDROE: You've got alternative 5A  
24 and 5B.

25 Is there any reason there isn't 5C and 5D,

1 also, with a cover?

2 MR. COOPER: We could. I think --  
3 there's no particular reason. I'll take a look at that.

4 I think -- like I said earlier is that  
5 we -- we feel that the waste doesn't constitute a direct  
6 threat to groundwater qualities, but even though -- we  
7 did keep the 3A and the 3B in there for the  
8 conversation, you know.

9 If people really dis -- I didn't want to  
10 completely screen it out that the low perm cover, so I  
11 kept the 3A and the 3B.

12 If people really feel that low perm is  
13 necessary, then we can have that conversation and then  
14 obviously if -- if we want to go toward the 5, you know,  
15 into the 5s and those would need low perm, also.

16 So first I'd like to send out the  
17 feasibility study. We can have a conversation about  
18 perm versus low perm, and then if we think it needs to  
19 be perm, then we can talk about should it be -- how to  
20 do -- we think it needs to be low perm, then --

21 MR. ULLENSVANG: There should be enough  
22 information to have that conversation.

23 MR. COOPER: Right.

24 MR. ULLENSVANG: Because you can compare  
25 alternative 2B to 3B to see what the price differential

1 is for the smaller footprint landfill going from a  
2 low -- a no -- a permeable cover to a low perm cover.

3 We'll know what the increase in cost is,  
4 and that would be a similar cost increase between 5B and  
5 5D, for example, if we had the C and D added in there.

6 MR. COOPER: Right.

7 MR. BUDROE: Yeah. It's just every time  
8 you have a cover like this, if you're including --

9 MR. COOPER: We have the converse.

10 MR. BUDROE: -- the choice between the  
11 permeable and low permeable cover.

12 FACILITATOR KERN: Craig, it seems that  
13 at the end here, the estimated cost for alternative 2  
14 through 5 would range between three and almost five  
15 million dollars.

16 MR. COOPER: Mm-hmm.

17 FACILITATOR KERN: And, you know, I've  
18 been trying to get a feel for how much these things  
19 cost. It seems to me that if you put a low permeability  
20 cover, meaning sand over the top of say the middle part  
21 of the waste and excavated the wings, which shouldn't be  
22 all that much waste, and from what you're saying,  
23 they're not like class I, it's hard to imagine that  
24 being three to five million dollars.

25 It seems like we've already got the sand

1 and you've got these two little thin pods of waste.

2 Why would that cost three million dollars?

3 I mean, I guess we'll see in the --

4 MR. COOPER: Yeah.

5 FACILITATOR KERN: -- document, but is  
6 there something like did EKI use \$60.00 a ton or  
7 something for class II or --

8 MR. COOPER: The waste in the wings?

9 MR. ULLENSVANG: I haven't seen that.

10 FACILITATOR KERN: It just seems really  
11 high for what we're talking about. It's a small  
12 landfill. These numbers just seem really high --

13 MR. COOPER: Okay.

14 FACILITATOR KERN: -- but I'll have to  
15 wait for the document.

16 MR. COOPER: Okay. I think the 5A and 5B  
17 are in the three range, mid three. Maybe that might be  
18 high. Okay.

19 MS. YAROS: One last question about the  
20 cemetery, or actually three questions.

21 MR. COOPER: Yeah.

22 MS. YAROS: Is it is visible, and how  
23 many corpses or whatever are and how old is it? And one  
24 more.

25 MR. COOPER: Yeah.



1 MS. YAROS: Do we know the -- who they  
2 were?

3 MR. COOPER: Yeah, okay. It's not -- we  
4 can go there right now, you can't -- there's no visible  
5 signs of a landfill. There's no crosses or anything  
6 like that.

7 Who they were. They were merchant marine  
8 sailors for the most part that got sick and were in a  
9 hospital, were being taken care of at the Public Service  
10 Hospital, I guess. I forget what its old name was.

11 MR. ULLENSVANG: It was the Merchant  
12 Marine Hospital.

13 MR. COOPER: Yes, and they -- I mean,  
14 starting from like 1880s, 1890s.

15 MR. ULLENSVANG: Something in that  
16 vintage.

17 MR. COOPER: And off the top of my head,  
18 when the cemetery closed, early --

19 MR. ULLENSVANG: I think about 1900.

20 MR. COOPER: Yeah, and there's  
21 approximately 300 --

22 MR. ULLENSVANG: I thought it was 4 or  
23 500. It's a large number.

24 MR. DIES: Is it going to be marked  
25 afterwards?

1           MR. COOPER:    Yes.  I will -- I can  
2   guarantee you this, that regardless of the alternative  
3   that we select, since I know that we can't select no  
4   action, there will be some memorial hopefully that  
5   everyone will think is appropriate and suitable at this  
6   site to commemorate the cemetery.

7           MR. DIES:    And one last question.  Will  
8   the RAP language indicate the presence of the cemetery?

9           MR. COOPER:   Oh, yeah.  The feasibility  
10   study --

11          MR. DIES:    Right.

12          MR. COOPER:   -- talks about the presence  
13   of the landfill.  The RAP will talk about the presence  
14   of the landfill, et cetera, yeah.

15                 I don't know -- as far as the memorial, I  
16   don't know if that -- I don't know if we'll get into  
17   that in the planning documents, but that's already in  
18   the works.

19                 I've got the planning department working  
20   on thinking through the memorial for that, especially if  
21   they need like a, you know, trail, we can, you know, go  
22   to the memorial, but it will go something pretty low  
23   key.

24                 MS. TRIGIANI:   I suggest that as part of  
25   collecting data that somebody kind of -- if you haven't

1 done this already, just get the data on who formed the  
2 cemetery, whether you have a record of the names, that  
3 sort of thing.

4 MR. COOPER: Yeah. There's -- there is  
5 an incomplete record right now. I think they -- only  
6 fifty names or something like that, yeah, have been  
7 identified. So there's just a number known, but as far  
8 as the actual names, that's pretty incomplete at this  
9 point.

10 MS. CLEEK: By the report that's in the  
11 trust library, the company in Sacramento did where they  
12 researched everything and went through the old public  
13 health records and things.

14 MR. COOPER: Right.

15 MS. CLEEK: They identified a lot of -- I  
16 thought they would have identified more than fifty,  
17 because they had like documents, letters home to these  
18 people, families.

19 MR. COOPER: Fifty might be wrong.  
20 They've identified --

21 MS. CLEEK: It's really a great report.

22 MR. COOPER: It could be up to a hundred.  
23 There was a lot of names identified in that report, but  
24 I don't want to imply that we've found all the names or  
25 that has not been done.

1 So --

2 MR. YOUNGKIN: One last question.

3 MR. COOPER: -- one of those tricky  
4 issues. Whether it's a remediation issue or not, I  
5 think not.

6 MS. TRIGIANI: I'm not suggesting that it  
7 is, but --

8 MR. COOPER: Yeah, yeah.

9 MR. YOUNGKIN: Last year when we were  
10 sort of discussing alternative 5A --

11 MR. COOPER: Mm-hmm.

12 MR. YOUNGKIN: -- it looked like the  
13 preliminary data showed that the upper layer had more  
14 lead contamination.

15 Would it be possible to maybe take off  
16 that upper layer of contamination and reduce the  
17 landfill? Did that work out?

18 MR. COOPER: That's why we were listing  
19 it as a formal alternative, and it appears that it  
20 probably won't work out in that it was just the way the  
21 data was shown in our five-year review report.

22 It made it look like there was this layer  
23 of high concentrated lead in the shallow surface layers,  
24 but when you really look at contouring the data more  
25 properly, that really didn't -- it could be in the top

1 two feet or it could be in the top seven feet or, you  
2 know, I forget what it was, but it could be -- the  
3 interval that that five-year review showed was  
4 probably -- was too narrow and it's actually much  
5 thicker, yeah.

6 So that's landfill 8, and without further  
7 adieu, let's move on to landfill 10.

8 FACILITATOR KERN: Can you say whether  
9 that lead in that soil is going to pass the test, the  
10 wet test?

11 MR. COOPER: We've got some rules of  
12 thumb. We could have that -- we've got general rules of  
13 thumb now.

14 I know that we didn't take any RCRA or wet  
15 test on that soil samples, but we can look at the gross  
16 concentrations and compare it to other sites now --

17 FACILITATOR KERN: It seems like --

18 MR. COOPER: -- To see what category it  
19 falls into, yeah. Okay. Let me write that down.

20 Okay. Landfill 10. That's the other one  
21 that I was talking about earlier. It's much larger, by  
22 the way, than landfill 8 as far as total volume.  
23 Landfill 10 is upwards to 200,000.

24 MR. ULLENSVANG: Over 240.

25 MR. COOPER: 240,000 cubic yards. So the

1 largest landfill that we have in the Presidio, and I  
2 know this is not a great map, but this kind of shows the  
3 two land use zones.

4           So here's the landfill, the Public Health  
5 Service Hospital is over here, and there's landfill 10.  
6 This is the parking lot area. Here's the entrance for  
7 15th Avenue gate, I believe, coming in right dead center  
8 if you go right into the old hospital building, and so  
9 if you drive in from 15th Avenue, you look to the left,  
10 to the west and you'll see a paved area that's kind of  
11 in bad condition that slopes off.

12           That's this zone here that I talk about  
13 with residential/parking lot kind of, you know, land  
14 use, and then on the other side of that line is the  
15 slope of the landfill that goes down steeply to Lobos  
16 Creek area, and that's the land use that is recreational  
17 with native plant zone.

18           Okay. So -- so then for landfill 10, we  
19 have put together a whole bunch of alternatives, even  
20 though I'm not showing them as -- alternative 1 is your  
21 standard no action, but alternative 2, we have actually  
22 a 2A all the way to a 2G, and the basic concept behind  
23 alternative 2 is to move the waste around so the slope  
24 is more stable and construct a permeable cover over the  
25 soil and the waste and monitor groundwater.

1           So why we have an A, B, C, D, E, F, G is  
2 the way we -- we move the waste around. The way we  
3 stabilize the slope has different configurations and  
4 different methodologies that we wanted to explain to you  
5 each individual one separately and look at the pros and  
6 cons of each of these different ways to move around and  
7 stabilize the waste.

8           All of them have the same cover, sand  
9 cover over the top, permeable cover, but each one will  
10 have a different, you know, configuration of the  
11 steepness of the slope and different strategies to try  
12 to stabilize that slope.

13           MR. ANDERSON: Craig, wouldn't the  
14 permeable cover be more subject to erosion?

15           MR. COOPER: Well, if you vegetate it, it  
16 would be, you know -- both the low perm and the perm  
17 cover has a soil over the top that needs to be  
18 vegetated.

19           The low perm just has that layer down, you  
20 know -- sunk down underneath that is -- that makes it  
21 hard for rainfall to go through.

22           So both of them have erosion concerns,  
23 both the perm and the low perm and that's why we  
24 definitely would want to vegetate -- you know, if we did  
25 cover landfill 10, vegetate it right away to help with

1 erosion control.

2 MR. ULLENSVANG: There is some difference  
3 in the seismic stability between when you have a low  
4 perm or a perm -- low perm or permanent cover, because  
5 the low permeable layer provides a failure -- potential  
6 failure plain, and so you have the soils slip off under  
7 certain conditions.

8 So the engineering is a little bit more  
9 complicated in how you -- how you deal with that type of  
10 material, and that's evaluated in this.

11 MR. COOPER: Alternative 3A to G is  
12 basically the same as 2, but with low perm cover, just  
13 like landfill 8, we look at both -- both types of  
14 covers.

15 Alternative 4 is the clean closure, dig up  
16 the entire landfill and haul it away, and you can see  
17 the cost range from the cheapest one is in -- is a  
18 configuration in alternative 2, I believe, and the most  
19 expensive one being the clean closure alternative 4 is  
20 the high end of the cost range, but again when we issue  
21 the feasibility study, we'll have a specific cost for  
22 2A, 2B, we'll have a cost, et cetera.

23 So that will help us kind of balance cost  
24 versus, you know, protectiveness and configurations and  
25 aesthetics and all different kinds of things as you know



1 when we look at the balancing criteria for all these  
2 different subalternatives.

3 FACILITATOR KERN: So under alternative  
4 2, there would actually be an alternative that for five  
5 million dollars just moves stuff around, doesn't move it  
6 anywhere else and just stabilizes it somehow for five  
7 million dollars?

8 MR. COOPER: And covers it, right.

9 MR. ULLENSVANG: And I believe that there  
10 is some removal in that configuration.

11 MR. COOPER: But it's fairly minimal.

12 MS. TRIGIANI: Doug, Craig, I don't even  
13 know if this is an appropriate question. I think I have  
14 asked it before, but since it's so close to the  
15 hospital, is there any way that an arrangement could be  
16 struck with the developer of that -- of the hospital  
17 site as sort of a gesture of goodwill or corporate  
18 citizenship to absorb some of these costs and become a  
19 partner to the trust in resolving the environmental  
20 aspect of, you know, the landfill, even though they're  
21 under no obligation to do so?

22 Is it outside the realm of possibility to  
23 approach the developer and ask them to strike some sort  
24 of a partnership in dealing with this?

25 MR. COOPER: To deal with the Army waste?

1 I haven't really asked the developer to help pay for  
2 that.

3 MS. TRIGIANI: That's what we would be  
4 asking them to do, you know, but is it outside of the  
5 realm of possibility to do that or is it just kind of  
6 total boundary crossing?

7 MR. BOGGS: I can add a little bit to  
8 that --

9 MR. COOPER: Oh.

10 MR. BOGGS: -- because it's actually  
11 happening in a lots of military bases where developers  
12 are taking over, purchasing and developing different  
13 portions of sites that are contaminated.

14 Mare Island, the developer's taken on  
15 many, many millions of dollars worth of cleanup out  
16 there. There's actually a federal process they have to  
17 go through in order to do that as far as doing the  
18 finding, the suitability for lease.

19 There's a lot of pre work that they have  
20 to let all the developers know beforehand that are  
21 bidding on this project way beforehand. They have to be  
22 given notification that this is part of the whole  
23 package that they're bidding on.

24 So after the fact, you might get a little  
25 corporate gesture, but there's no binding agreement

1    there, but they can go through a formal process to  
2    develop binding agreement with the private developer,  
3    but it is a lengthy separate process.

4                   MS. TRIGIANI:    But not impossible?

5                   MR. BOGGS:     But not impossible.

6                   MR. COOPER:    Not impossible.  What I  
7    think there could be some opportunity and what I have  
8    floated to the planning department was the -- what is  
9    built on top of the cover obviously will end up going.

10                  MR. DIES:     The parking lot.

11                  MR. COOPER:    Now if we were just -- let's  
12   say there was no hospital there.  I know we're going --  
13   this is a landfill E type discussion.

14                  Landfill E is not the only site where land  
15   use -- future and use and our remediation projects, they  
16   all come together as they should.

17                  We should be thinking about what is going  
18   on at these sites and what are the future users going to  
19   use it for and how do we coordinate with them?

20                  And so if we were just -- if there wasn't  
21   a hospital and we just, you know, wanted to find a cheap  
22   way to cap a portion of the site, we could asphalt it  
23   ourselves and build remediation, building a parking lot  
24   over it, but we could do it in a very kind of cheap way  
25   with no landscaping and no curbs, you know.  We would

1 try to -- really try to minimize costs.

2 But because it is going to be an area that  
3 is going to be redeveloped, obviously the trust and the  
4 developer wants this parking lot to look nice, you know.

5 MS. TRIGIANI: Well --

6 MR. COOPER: And so that is the part that  
7 I told them I'm not willing to pay for is making it look  
8 nice part.

9 MS. TRIGIANI: Sure.

10 MR. COOPER: And that's what you're going  
11 to have to pay for. You're going to put in fancy curbs  
12 and light fixtures and things like that, which all makes  
13 sense to me, but, you know, remediation won't pick up  
14 the tab for that, but we need to talk to each other  
15 because, you know, the finished product I leave them, I  
16 want to make sure it makes sense for them, because I  
17 don't want them mucking around and disturbing the cover  
18 because, you know, Bob would be concerned at that.

19 We have to make sure that the remedy that  
20 we build, that integrity stays intact and whatever gets  
21 built on top of it only supplements and makes the -- the  
22 remedy better or at least the same.

23 It can't make the remedy worse or --

24 MS. TRIGIANI: Let me ask it a different  
25 way. If the developer came to you and said, "As a

1 gesture of goodwill, corporate citizenship and to work  
2 with our neighbors, we'd like to pay for whatever has to  
3 be done to this landfill" --

4 MR. COOPER: Mm-hmm.

5 MS. TRIGIANI: -- is that possible?

6 MR. COOPER: I would jump at the  
7 opportunity, you know.

8 MS. TRIGIANI: So we take donations?

9 MR. COOPER: I -- I think we can -- I  
10 don't know. I'd have to -- before this goes on the  
11 record, I don't know exactly.

12 MS. TRIGIANI: Why don't we suggest it  
13 for the minutes?

14 MR. COOPER: I'm sure we would sit down  
15 and definitely talk about.

16 If we're just talking about a money  
17 transfer, different than what Bob was talking about,  
18 because that was them doing the work. That's a whole  
19 different scenario.

20 If they're just wanting to donate money to  
21 us for this project and we're the -- we retain -- we're  
22 still doing the CERCLA work and Bob is regulating the  
23 trust, that's a lot simpler because those roles and  
24 responsibilities are the same.

25 Give them a call. I know that --

1 MS. TRIGIANI: Maybe they'll read the  
2 minutes and get the idea themselves.

3 MR. BUDROE: It would take a lot of  
4 corporate citizenship to come up with five to ten  
5 million dollars.

6 MS. CLEEK: They don't have to come up  
7 with all of it.

8 MR. BUDROE: You're talking. Those kind  
9 of costs, you'd almost have to build it in the way that  
10 Bob was talking about saying this is part of the  
11 package. You do development. You have to do the  
12 remediation, also, and then it goes into then pencilling  
13 into the bottom line.

14 That's way too much money to expect that  
15 somebody's going to --

16 MS. TRIGIANI: Oh, ye of little faith.

17 FACILITATOR KERN: Jan and then Karen.

18 MS. BLUM: I think this is all -- maybe  
19 for me feels a little like dangerous territory, because  
20 with the escalating costs of building materials at very  
21 face value, I recently read on the published trust  
22 minutes that they are re-evaluating the entire project  
23 because costs are escalating so dramatically because of  
24 the growth of Asia.

25 So I would hate to have the mediation

1 start being like a -- some kind of a tradeoff, if I do  
2 this for you, will you let me have dogs throughout the  
3 Presidio in the public hospital?

4 I'd hate to see this become kind of a  
5 domino tradeoff where if I do this, you're going to have  
6 to do that for me, because they're going to have to get  
7 more rents in order to make a profit in order to build  
8 this building.

9 MR. COOPER: Yeah.

10 MS. BLUM: So I would be very cautious  
11 about starting negotiation.

12 MR. COOPER: Yeah.

13 MS. BLUM: It's certainly a great  
14 possibility, but I'd be really -- I'd hate to see  
15 remediation get as a trading chip for something that we  
16 really may not want at all as a tradeoff for the money,  
17 so I think it's scary.

18 FACILITATOR KERN: Karen and then Gloria.

19 MS. CLEEK: I don't think we're actually  
20 asking the developer to pay the whole amount. I don't  
21 see why in the negotiations with developers for various  
22 sites there shouldn't be some sort of environmental fee  
23 built into it if there isn't already, and I don't know  
24 why they -- you couldn't ask them.

25 I've sort of heard this "well, Caltrans

1 would never give us money for Mountain Lake," and there  
2 did end up being a grant for Mountain Lake, even though  
3 it may it may not be used properly.

4 So it's worthwhile to explore these  
5 things. You might get something meaningful out of them.  
6 It is part of their area up there that they're going to  
7 be selling to people. I don't mean selling the  
8 property, but selling the concept to people.

9 But, you know, it might be worthwhile.  
10 They might --

11 MR. BUDROE: Even there, again, doesn't  
12 that come out of the Presidio Press -- the trust bottom  
13 line? They can give money for remediation or they can  
14 give money to the trust.

15 MS. CLEEK: I'm talking in addition to  
16 whatever the cost of their project is, thinking of an  
17 additional fee. I think that's what we're talking  
18 about, not something --

19 MS. TRIGIANI: I'm talking about  
20 something completely above board and not a quid quo pro  
21 and not a back room deal.

22 MS. CLEEK: They have their development.

23 MS. TRIGIANI: Let's run this like a  
24 business. That's what I'm talking about.

25 MS. CLEEK: It's like there's another



1 project here and you're asking if they would like to  
2 make a donation to do that. No quid quo pro, nothing on  
3 the bottom line. It's something in addition to. That's  
4 it.

5 FACILITATOR KERN: Gloria and Julian and  
6 Jerry.

7 MS. YAROS: Back to the rising cost, in  
8 almost every one of the projects, there are one or two  
9 alternatives that include monitoring groundwater.

10 First of all, do you foresee or does the  
11 idea that this will be monitored in perpetuity?

12 MR. COOPER: Well, not necessarily. Even  
13 if we leave waste in place, I think there could be -- if  
14 we had a sufficient set of data -- and I won't put a  
15 time frame on it right now, because that would be -- I'd  
16 be clairvoyant to do that.

17 I could be see a point where I could go to  
18 the regulators and say we have such a good set of data  
19 for a sufficient period of time, that not only -- you  
20 know, we would be trimming -- along the way, we'd be  
21 cutting back on groundwater monitoring, but I could see  
22 eventually reaching a day where we would -- the trust  
23 would request to terminate groundwater monitoring.

24 MS. YAROS: And then what is your --

25 MR. ULLENSVANG: There would still be

1 some monitoring of the site. Whenever you leave waste  
2 in place, there would have to be some reoccurring  
3 monitoring.

4 MR. COOPER: But I could see a day  
5 where -- that's why twenty, thirty years and it  
6 continues to stay the same. I think that we can  
7 request.

8 MR. ULLENSVANG: For groundwater, but  
9 there will still be some monitoring at the site whenever  
10 you have a waste cover.

11 MR. COOPER: She was just talking about  
12 groundwater monitoring, though. Maybe -- I don't think  
13 I'm being naive.

14 MS. YAROS: I was not referring to just  
15 water, groundwater monitoring. All of these  
16 alternatives, you know, at least two or three or four  
17 talk about monitoring, and I'm wondering --

18 MR. COOPER: Right.

19 MS. YAROS: -- how long the trust  
20 foresees this monitoring will go on, and is there -- is  
21 there an amount of money that is set aside, escrow,  
22 whatever?

23 MR. COOPER: Right.

24 MS. YAROS: As Jan just said, rising  
25 costs and everything.

1 MR. COOPER: Yeah.

2 MS. YAROS: The trust might say we have  
3 money now to monitor this, but in twenty, thirty or  
4 fifty years, can the trust say, "Well, we're out of  
5 money now so we can't monitor anymore and we can't" --

6 MR. COOPER: Right.

7 MS. YAROS: -- "so we, in fact, low  
8 boating or something or choosing an alternative that, in  
9 fact, will not --

10 MR. COOPER: No. It's a really good  
11 question. For any time -- like Brian said, any time we  
12 leave waste in place, any type of cover alternative,  
13 there's going to be monitoring involved.

14 Some of it will be for landfill covers,  
15 you got to look at -- visual monitors. We'll have -- we  
16 want to make sure if there's any settlement going on,  
17 and groundwater monitoring.

18 All -- you know, some form of monitoring  
19 would go on in perpetuity because we want to make sure  
20 -- we got to show that the protectiveness of the remedy  
21 is good long-term.

22 Now the way we cost out the monitoring  
23 aspects is in -- you know, for the cover alternatives.  
24 It's costed out for the long-term, and so I see my job  
25 is to make sure if we do select the landfill cover

1 alternative, that that amount that is in that remedy,  
2 there will be a part for capital cost to build the cover  
3 and then apart from monitoring cost that I make sure  
4 that I hold back money, you know, of the hundred million  
5 that I keep a long-term trust fund, let's call it, for  
6 monitoring; not only landfill 10, but any other site  
7 that -- where monitoring is required, you know, in DTSC  
8 or regional board remedy, including landfill covers or  
9 land use controls. We need to hold money back for  
10 monitoring.

11 If that money runs out, then our general  
12 funds would have to cover that. That's an environmental  
13 responsibility that -- with regulatory enforcement that  
14 we'd have to live up to our obligations.

15 MS. YAROS: So then choosing any  
16 alternative that includes monitoring means that we're  
17 really putting a lot of trust in the people who will  
18 come after us, and assuming that they will always do the  
19 right thing, and there will always be money to do that  
20 thing.

21 MR. COOPER: Right.

22 MS. YAROS: It leaves me feeling a little  
23 insecure about those alternatives.

24 MR. COOPER: Mm-hmm.

25 MS. YAROS: Human nature being what it is

1 and the economy being what it is.

2 MR. COOPER: Right.

3 MS. YAROS: Not really likely to continue  
4 at that very high standard in perpetuity.

5 MR. COOPER: You're afraid that people  
6 might try to raid the trust fund for the monitoring?

7 MS. YAROS: Even if they don't raid it,  
8 money runs out. Things happen.

9 MR. COOPER: Mm-hmm.

10 MS. YAROS: Things escalate.

11 MR. COOPER: Even if the money runs out,  
12 I'm hoping that the annual monitoring costs of what the  
13 remediation program is behind is not so onerous that it  
14 could just become an annual cost that the Presidio Trust  
15 would -- would budget for every year.

16 MS. CHEEVER: In addition, wouldn't this  
17 be enforced by the regulators?

18 MR. COOPER: Exactly.

19 MS. CHEEVER: The trust would be legally  
20 responsible or liable.

21 MS. TRIGIANI: The same could happen with  
22 the regulators.

23 MS. YAROS: If there's no money, there's  
24 no money. People have best intentions.

25 FACILITATOR KERN: Julian.

1                   MR. HULTGREN:    Is each of the  
2 alternatives compatible with what is planned or what  
3 will be developed on the property, both the parking lot  
4 and the rest of the property? And if not, how are you  
5 going to find out?

6                   MR. COOPER:    Well, that is -- we -- last  
7 year when we were meeting with all these different  
8 folks, that was definitely one of the topics we talked  
9 about.

10                   We presented, you know, various  
11 alternatives and configurations and -- how will this fit  
12 with your land use. That's both for the parking lot  
13 side and on the native plant side.

14                   So -- talking with these resource people  
15 and planners, we've got a pretty good idea of which ones  
16 best fit their long-term land use needs and which ones  
17 don't fit so well, and that will be talked about in  
18 the -- in the feasibility study.

19                   MR. HULTGREN:    Did you meet with the  
20 developers or somebody who's going to develop?

21                   MR. COOPER:    I had a couple of meetings  
22 with a contractor for the developer, you know,  
23 basically, you know, -- and we had like EKI, Golder,  
24 just for that communication about, you know -- if we did  
25 build the landfill cover here, you know, are you -- is

1 it going to be a parking lot and what's your plans for  
2 the parking lot? So, yeah, those communications have  
3 started, as well.

4 MR. HULTGREN: Mm-hmm. So it is  
5 compatible with whatever they might do?

6 MR. COOPER: There are alternatives in  
7 there, yes. The cover alternatives, for example, are  
8 compatible.

9 MR. HULTGREN: Are they all compatible  
10 or --

11 MR. COOPER: Off the top of my head, I --  
12 I don't remember.

13 MR. ULLENSVANG: I know from a natural  
14 resourcing side, some are more compatible than others.

15 MR. HULTGREN: So you have to find out  
16 whether these are compatible and what is planned to be  
17 developed there before you can decide whether -- which  
18 of these to do feasibly?

19 MR. COOPER: Definitely. The feasibility  
20 study will have probably several subalternatives  
21 under -- the cover alternatives that will be compatible  
22 on both the parking lot side and the natural resources,  
23 the native plant side.

24 MR. HULTGREN: And the hospital remodel  
25 side?

1 MR. COOPER: That's parking lot. That's  
2 what I meant by the parking lot side.

3 MR. HULTGREN: Okay. All right.

4 MR. COOPER: Yeah.

5 MR. HULTGREN: Thank you.

6 MR. COOPER: We asked them how big a  
7 parking lot, you know, and there was a lot of pushback.  
8 We didn't say well -- we're like "why do you say that?"  
9 Because we had this other land use on the other side,  
10 you know, with certain needs, also.

11 So hopefully we're finding a good balance  
12 between those two land uses.

13 FACILITATOR KERN: Gloria.

14 MS. YAROS: Well, that reminds me --  
15 Julian's question just reminded me of this recurring  
16 thought that I have with these presentations, and that  
17 is that I don't understand -- well, the advisability of  
18 discussing all of these alternatives -- this came up  
19 before when we were talking about landfill E a couple  
20 months ago, and I think it's maybe counterproductive,  
21 even, to discuss, you know, all of these all  
22 alternatives when if we knew what that land use was  
23 going to be there or what that particular site was going  
24 to be used for.

25 It seems to me we could make a much more



1 intelligent decision as to what alternative we should  
2 use.

3 MR. COOPER: Right.

4 MS. YAROS: Aren't we in fact putting the  
5 cart before the horse? I don't know, maybe the cart  
6 might be behind the horse, but we don't have enough  
7 information to make an intelligent decision.

8 MR. COOPER: Just like landfill E. We  
9 know what the land use is. There will be several  
10 alternatives that will meet future anticipated land use.

11 It could be this slope with the parking  
12 lot on top and that will be future an anticipated land  
13 use. The parking lot might be this slope with a parking  
14 lot on top and that will be future anticipated land use.

15 So there's several roads to get to an  
16 acceptable future anticipated land use scenario, and  
17 that's what our discussion will be about which road  
18 should we take to get there.

19 MS. YAROS: Well, it seems that there  
20 would be a greater economy of time if we knew for sure  
21 what it was going to be.

22 MR. ULLENSVANG: I think the one downside  
23 to working that way -- and this is a hypothetical, but  
24 let's say the developer said, "We need a hundred parking  
25 spaces."

1           Our land use essentially, we have to have  
2   a hundred parking places, where it might be that eighty  
3   parking places is five million dollars less than a  
4   hundred parking places to configure the landfill, in  
5   which case for five million dollars, the developer might  
6   be fine with the parking places.

7           So by understanding some of the ranges,  
8   you can help identify that there will be extreme cost  
9   growth for certain times that you can avoid those and  
10   come to a compromise, because what we learned is setting  
11   these alternatives, none of the alternatives fully meets  
12   all of the objectives.

13           Some are better in some regards. Others  
14   are better in other regards. There's a compromise  
15   associated with every alternative, and there's tradeoffs  
16   both to the qualities associated with the features of  
17   the alternative and of course money.

18           So some cost much more than others without  
19   much benefit. Others -- some actually cost more and  
20   have less, and so -- but understanding that, then the  
21   trust can come in and -- and package something that does  
22   the best job at the compromise, and everyone will have  
23   to compromise on the site.

24           Whereas if you just let one party choose  
25   what was best for them and the other parties, an

1 interest might have to compromise significant amounts.

2 MR. COOPER: Right.

3 MS. CLEEK: Within the alternatives for  
4 landfill 10, all of them in some way meet the intended  
5 land use. There's nothing in there that would preclude  
6 the intended land use.

7 MR. COOPER: Mm-hmm.

8 MS. CLEEK: So you're sort of -- by not  
9 including something that is contrary to where you might  
10 be going. So all your selections in some way involve  
11 these compromises as opposed to totally going against  
12 what will be there.

13 MR. COOPER: Correct.

14 MS. CLEEK: Yeah,

15 MR. COOPER: Right. Different forms of  
16 compromise.

17 MS. YAROS: In some cases, but there are  
18 other cases that seem to me that that cannot -- you  
19 know, that cannot be true, for instance, at landfill E,  
20 you know.

21 MR. COOPER: Right -- well with --

22 MS. YAROS: There's either going to be a  
23 playground or not. It would certainly affect any  
24 opinion that's going to go on there. Mountain Lake is  
25 another site.

1 MR. COOPER: But even at landfill E, we  
2 had different forms of compromise. Now different forms  
3 of compromise have different price tags associated with  
4 them, as well, but that -- that's true for landfill 10,  
5 as well.

6 MS. YAROS: Yeah.

7 MR. ULLENSVANG: And we'll have an  
8 opportunity at one of the committee meeting sessions to  
9 go through the A through G on the alternative 2 or 3 and  
10 try to explain some of the features that were  
11 highlighted in the subalternatives, which was the idea  
12 of crafting this number is that each -- each sub-  
13 alternative highlighted or emphasized one feature, so  
14 you can compare what does it cost to change the slope in  
15 the north and what does it cost to move the total  
16 landfill back in the north or in the south.

17 So those things were tried to balance out  
18 so that people can actually make an informed opinion.

19 MR. COOPER: Right. You will learn about  
20 how these things work together.

21 MR. YOUNG: The danger of that, too, is  
22 once you'd decided it's a parking lot, those clean  
23 closure costs could include the cost of bringing in 230  
24 cubic yards of fill.

25 MR. COOPER: Excellent question. I

1 believe the way we're going to handle it is the same way  
2 we will -- we handled it at landfill E. We'll show it  
3 as a separate line item.

4 We're not going to say that remediation is  
5 paying for it, per se, but it's part of the cost of the  
6 remedy would be to -- to comply with the land use, to  
7 make that remedy functional.

8 MR. ULLENSVANG: In this case, it  
9 wouldn't be all 230 yards. It would be 230,000 yards.  
10 It would be some smaller number to create a level area.

11 MR. COOPER: But he was saying if we did  
12 go for the full clean closure.

13 MR. ULLENSVANG: You wouldn't bring the  
14 entire volume back; correct.

15 MR. COOPER: Right. We wouldn't need the  
16 whole 230 to go back and build a parking lot.

17 MS. TRIGIANI: Could the trust mandate  
18 that those funds -- who protects the hundred million,  
19 then, from the -- someone saying well, this has to come  
20 out of remediation when it is not technically a  
21 remediation cost.

22 MR. COOPER: Well, for the most part, but  
23 there's --

24 MS. TRIGIANI: So if the trust board said  
25 to you it's coming out of remediation --

1 MR. COOPER: Well --

2 MS. TRIGIANI: -- you could argue that.

3 MR. COOPER: I would argue it, sure.

4 It's a free country.

5 MR. SUTTER: It is?

6 MR. COOPER: I have in my mind.

7 FACILITATOR KERN: That's another agenda  
8 item.

9 MR. COOPER: I have in my mind what --  
10 you know, what -- what I'm trying to balance when I work  
11 with other departments is doing -- doing the right thing  
12 as far as making things work in the Presidio park and --

13 MS. TRIGIANI: Sure.

14 MR. COOPER: -- combining and  
15 coordinating and planning ahead.

16 Balancing that with protecting the money  
17 for non-remediation cost items, and --

18 MS. TRIGIANI: Who has the final say?

19 MR. COOPER: Final say. I would say  
20 Craig -- if I got into a fight with the planning  
21 department, I would go up to Craig Middleton, I guess.

22 We would brief -- we would both brief  
23 Craig Middleton.

24 MS. TRIGIANI: Okay.

25 FACILITATOR KERN: Jan.

1 MS. BLUM: I'd like to know if we start  
2 with the premise that the developer needs a hundred  
3 parking places and work backwards or we work from  
4 remediation and go forwards, because there's a big  
5 difference between five million and eighteen -- sixteen  
6 million.

7 MR. COOPER: The sixteen is for the  
8 complete clean closure alternative 4.

9 MS. BLUM: Okay.

10 MR. COOPER: And the alternatives, cover  
11 alternatives are -- are in the four to -- I don't  
12 know -- the five million dollar range, the 4.9 to 6.

13 MS. BLUM: Let me try to reformulate my  
14 question. Sort of similar to what Mary was getting at  
15 earlier.

16 If we did the just bare minimum asphalt  
17 parking lot because we remediated up to the letter of  
18 the law and did our duty as we're required by law, then  
19 would the developer -- then would the developer take --  
20 if he wants -- he or she wants a hundred parking places  
21 in the skinny little asphalt strip, would they do  
22 additional work or would we be paying for that?

23 MR. COOPER: Well, they would. That's  
24 my -- that's where I'm drawing the line.

25 MR. ULLENSVANG: I think we're saying

1 that in these -- in this particular situation that  
2 hypothetically isn't really true, that it isn't  
3 necessarily that the cheaper alternative provides less  
4 parking places.

5 MS. BLUM: Okay.

6 MR. ULLENSVANG: Because it has to do  
7 with how you configure the landfill slope. These  
8 alternatives provide different degrees of flat spot on  
9 top of it, and it's not always that the cheaper one  
10 provides more or less.

11 MS. BLUM: But they're all in line with  
12 the parking lot. The parking lot is the --

13 MR. ULLENSVANG: It's one of the users.

14 MS. BLUM: Use.

15 MR. ULLENSVANG: There's several  
16 competing in some cases and other times not competing  
17 users or stakeholders involved in the different things.

18 MR. COOPER: Right.

19 MR. ULLENSVANG: Natural resources is  
20 involved.

21 MR. COOPER: Right.

22 MR. ULLENSVANG: The parking lot is  
23 involved. There's a balancing between those. It's not  
24 necessarily --

25 MR. YOUNGKIN: The overlook.



1 MR. COOPER: -- the overlook.

2 MR. ULLENSVANG: The overlook is one.

3 There's a number of other things. The feasibility study  
4 won't talk about those and try to help -- one of the  
5 goals here with these alternatives was to try to  
6 identify the major interests involved in a variety of  
7 alternatives and bring those into discussion so people  
8 could associate with an interest that they might have  
9 and see how it works for different alternatives.

10 So if someone was interested in parking,  
11 they can read about how that -- the different  
12 alternatives help or hinder parking.

13 If somebody is interested in a variety of  
14 natural habitat, you can see how the different  
15 alternatives help or hinder a variety of natural  
16 habitat.

17 If someone is interested in perceived  
18 aesthetics of the site, some of the alternatives will be  
19 much more aesthetically pleasing than others and those  
20 will be highlighted in the range.

21 MR. COOPER: Right.

22 MR. ULLENSVANG: We felt that was  
23 important for neighbors.

24 MR. COOPER: Exactly. Not only for you  
25 guys, but the neighbors are going to be so interested.

1 MR. ULLENSVANG: In just how it looks to  
2 neighbors. So the goal here more so than many of the --  
3 the feasibility of the trust has gone is try to  
4 represent the competing -- many times competing  
5 interests and show how the tradeoffs are in the  
6 balancing of the alternatives, and unfortunately it just  
7 wasn't that simple as pay more, get more parking.

8 MS. BLUM: Well, my experience in the  
9 scoping process and the design process and these other  
10 processes that you go through is you really don't have a  
11 really clear-cut choice, that something is assumed as  
12 part of that process to begin with and you'd already  
13 given up something just to start at square one.

14 So it's always good to --

15 MR. ULLENSVANG: There were some  
16 assumptions. There was the assumption that there would  
17 be parking at the top.

18 MR. COOPER: Yeah.

19 MR. ULLENSVANG: There was assumption  
20 that there would be natural habitat on the slope, and  
21 then that became some balancing right there.

22 And there was the assumption that the  
23 aesthetics would be important to many people at the  
24 site, and that comes in also to the assumption that the  
25 site had to be stable under seismic conditions to meet

1 the current regulations of the State of California.

2 Because some of the alternatives are very  
3 expensive, some of the alternatives which provide value  
4 in the other -- the natural habitat or parking are very  
5 expensive from a seismic point of view, and so it was  
6 very complicated, and that's why there's so many  
7 alternatives to try to highlight some of those features.

8 FACILITATOR KERN: Before we continue  
9 this for the next, you know, week without adjournment  
10 even eating or anything, because I think it's very  
11 important, we're talking about this kind of in an  
12 abstract way because we don't have -- know all the  
13 alternatives.

14 We don't have all the costs and we need --  
15 because I have a lot of questions like I think all of  
16 you have, and I'm really, you know -- I'm kind of  
17 shocked by the costs of these alternatives, and I really  
18 want to see what we're going to get for that, because  
19 we've gone from the record of decision that said nothing  
20 needed to be done to now maybe ten million dollars'  
21 worth of stuff here that it's going to be important to  
22 look this stuff over and see what has apparently been an  
23 incredible amount of work, which I want to commend the  
24 parties for examining those and coming up with all these  
25 alternatives and I'm very interested to look at those

1 and hopefully give us some time to examine those.

2 So we'll be looking forward to seeing the  
3 document when it comes out. Maybe you have a last  
4 slide.

5 MR. COOPER: Next steps, perfect segue,  
6 so the trust and the park service are going to begin --  
7 we've now rewritten the feasibility study.

8 Again we wrote one early last year. We  
9 did a lot of work in the meanwhile. Now we're going to  
10 take a look at it again.

11 Hopefully this one has a much better  
12 result from our internal review and as we think it will,  
13 because we're much more meticulous than coordinating  
14 with each other on this one, and we hope to get a copy  
15 of this F/S out to you and the agency, you know, no  
16 later than June, and that's when we would sit down in  
17 June or July and have the same type meeting, but this  
18 time when you see alternative 2A, we'll talk about them  
19 in more detail.

20 You'll see a cost and we can talk about  
21 what are we balancing those costs, what are we getting  
22 for those costs and it will be a nice long meeting  
23 because we got A to G to talk about, but that's what  
24 will happen in the June -- that's what will happen this  
25 summer, and --

1 FACILITATOR KERN: Maybe you can give  
2 that stuff to us in advance prior to the meeting so we  
3 can --

4 MR. COOPER: That's a good idea. It will  
5 be a lot of information. Get it maybe to you hopefully  
6 by late May or at least a couple weeks in advance, and  
7 we can decide whether we want to have the discussion at  
8 a RAB meeting or a committee meeting, but -- so we'll  
9 talk about the F/S in more detail over the summer and  
10 then we take all that and start working on the RAP for  
11 these sites and we hope to get a RAP together by the end  
12 of this year.

13 That's pretty optimistic, and then go into  
14 public comments on the RAP sometime early next year.

15 So --

16 MS. CLEEK: I want to ask a really naive  
17 question, but how does it go out for public comment  
18 beyond the RAB?

19 MR. COOPER: Uh-huh. We have a fact  
20 sheet that we mail out called a proposed plan and it  
21 goes to a mailing list of about a thousand folks, I  
22 believe.

23 There is like 200 to 300 on our mailing  
24 list, but we also -- everyone who lives in the Presidio  
25 gets a proposed plan fact sheet and we also put -- as

1 required by the regulations, we put notices in The  
2 Chronicle and other newspapers like the Bay Guardian and  
3 we've put it in weeklies, as well, and advertising the  
4 availability of the proposed plan and the draft RAB, and  
5 then we have a public -- and inviting people to come to  
6 a public meeting.

7 So that's how -- and it will be in the  
8 Presidio Post, also, which has a readership of 15,000, I  
9 think, or something like that.

10 MS. CLEEK: When was the last public  
11 meeting on a remediation project?

12 MR. COOPER: It would have been on RAP 2,  
13 and it occurred --

14 MR. DIES: Eighteen months ago.

15 MR. COOPER: Eighteen months ago?

16 MS. CLEEK: So they don't happen very  
17 often.

18 MR. COOPER: No.

19 MS. CLEEK: Okay.

20 MR. COOPER: We're trying to have one on  
21 RAP 3 this year, if we can -- we'll talk about that  
22 after the break.

23 FACILITATOR KERN: So we would like to  
24 ask to have a break and we'll reconvene in ten minutes.

25 (Recess taken).

1 FACILITATOR KERN: So I'll ask Craig to  
2 focus on the highlights of this report, but I think  
3 there's several things in here I've glanced through that  
4 seem of interest, so onwards.

5 MR. COOPER: Okay. I'm going to do the  
6 monthly updates. So that's the handout which I know I  
7 did six to a slide thinking that it was going to show up  
8 there. I know it's hard to read, so bear with me on  
9 that.

10 So --

11 FACILITATOR KERN: Did you have responses  
12 to our --

13 MR. COOPER: We can do that, as well. I  
14 didn't quite -- no excuses, but I had such a crazy day,  
15 you can see I almost got there, but I didn't quite get a  
16 chance to finish it.

17 So I can talk you through it or if I could  
18 just at the next committee meeting, then -- as you can  
19 see, you guys have written me a letter, a comment letter  
20 on the preliminary draft of RAP 3 and I'm writing a  
21 letter back, comment by comment, and -- but  
22 unfortunately I don't have a handout on this. I didn't  
23 quite --

24 FACILITATOR KERN: My preference would be  
25 to not just go through your response on that, because

1 I'm sure you've put a lot of consideration to it.

2 So maybe that as a proposal, maybe you  
3 could e-mail it to us just prior to the committee  
4 meeting. We'd be able to read it and then come  
5 prepared.

6 MR. COOPER: Okay. Maybe the draft  
7 letter.

8 FACILITATOR KERN: Yeah.

9 MR. COOPER: I have everything there, but  
10 it should be eighty percent down.

11 MR. DIES: You saw four drafts of our  
12 letter to you.

13 FACILITATOR KERN: That's right.

14 MR. COOPER: Okay. More productive.

15 FACILITATOR KERN: Yeah.

16 MR. COOPER: Great. That will be -- are  
17 you okay with that?

18 MR. ULLENSVANG: (Nods head  
19 affirmatively).

20 MR. COOPER: E-mail draft. Okay. Good.  
21 That took care of that.

22 So do you want to do monthly updates?

23 FACILITATOR KERN: Yeah. There's at  
24 least one slide in here I may ask a question.

25 MR. COOPER: Okay. So I'm doing the



1 handout with the six slides per -- okay.

2 So the first slide is on landfill E, focus  
3 feasibility study, and as you know, we sent out the F/S  
4 without a recommended alternative late last year, and  
5 the actual deadline to DTSC was March 30th for the F/S  
6 with the recommended alternative.

7 I asked DTSC for a little two-week  
8 extension. Now the F/S is in production. It should be  
9 in the mail by April 15th, which is this Friday or very  
10 shortly thereafter, and at the last committee meeting,  
11 per notes, I talked about -- I think it was alternative  
12 4A, which is the alternative that the trust is  
13 recommending in the landfill feasibility study.

14 We talked about that at the last committee  
15 meeting, and I'm sure we'll talk more when it comes out.

16 Okay.

17 FACILITATOR KERN: Could you just  
18 describe to people who've never been there what 4A is,  
19 what it actually is?

20 MR. COOPER: 4A is the landfill cap  
21 remedy where we pushed the waste, we consolidate the  
22 waste that's over on the west side of the landfill over  
23 and we -- our goal would be to have a restoration on the  
24 west side of the landfill where we'll divert the  
25 tributary, Tennessee Hollow storm water would have this

1 riparian feature on the west side of the site and the  
2 landfill cap on the landfill itself with monitoring and  
3 so on.

4 So it's -- that's alternative 4A. We've  
5 done schematics of that before.

6 FACILITATOR KERN: So is there no  
7 excavation of any material, then, in that alternative?

8 MR. COOPER: Excavation? No. I don't  
9 believe so.

10 FACILITATOR KERN: So all -- all  
11 consolidated and contained at the --

12 MR. COOPER: Under a RCRA low perm cover,  
13 yeah.

14 MR. ANDERSON: Under the vault.

15 MR. COOPER: Under the vault, right.

16 Okay. Small arms firing ranges, nothing  
17 really new there. We have that new site at building 649  
18 that we want to sample that in the basement, and the  
19 basement is flooded right now, but when it dries out,  
20 we'll take some soil samples and see how much lead,  
21 metals in the soils in that basement.

22 Then the next slide is on -- I'm going to  
23 kind of go back and forth on landfills 8 and 10, we  
24 talked about that, and we're going to really try to push  
25 to get the feasibility study out this summer and have

1 more detailed discussions with the RAB about that  
2 feasibility study this summer.

3 Mountain Lake, we are putting together --  
4 you know, we collected a bunch of sediment samples late  
5 last year and now we're putting together a data report.

6 We plan to get that out to the agencies in  
7 the RAB this summer, and then that data report would go  
8 to CDM, which is my consultant on RAP 5, so we can start  
9 working on the RAP document for Mountain Lake.

10 And then we're doing, you know -- in RAP  
11 3, which -- which is the next topic, we have -- we  
12 investigated several of the RAP 3 sites to better help  
13 with their design, and that is going on, and for the RAP  
14 3 in general -- huh. Okay.

15 RAP 3 in general, we've been working with  
16 DTSC and we got your comment letter, so I need to write  
17 you guys back and I'll be getting a letter from DTSC  
18 soon and I'll need to write them back.

19 There will be some revisions to RAP 3 and  
20 then hopefully after we get those revisions in place, it  
21 can go to the next step or formal public comment.

22 Okay. Next page, page 2. On the Mountain  
23 Lake tee grant, I talked to you guys about the draft  
24 project statement.

25 I brought my consultants from CDM and we

1 discussed that on how to basically got two -- two  
2 projects in the project statement, one for Highway 1  
3 storm water runoff and one regarding what's called West  
4 Pacific Avenue over on what's called the east arm of  
5 Mountain Lake.

6 That project statement is going to get  
7 sent to Caltrans this month for sure, maybe even as  
8 early as next week, and Caltrans will be reviewing that  
9 for grant eligibility and make some determinations about  
10 which project they would want to approve as grant  
11 eligible.

12 So for fill site 6A, we have finished the  
13 utility relocations that all these various utilities  
14 were going through and underneath that particular  
15 landfill.

16 We have also -- the last little kind of  
17 planning department that was missing on this, since we  
18 already have the lap signs, we have the remediation  
19 contractor already procured and on board and the last  
20 missing planning document was this restoration plan  
21 about erosion controls and how the creek is going to get  
22 constructed and -- and kind of like the final completion  
23 grading plan for the landfill and the creek construction  
24 design, and that has now been out for a couple weeks and  
25 we'll be in contact now with DTSC and the Regional Board

1 making sure that they're comfortable with that  
2 particular document and that DTSC is comfortable with  
3 the remediation strategy overall for the whole landfill  
4 because we really need to get started in late May or  
5 early June because it's going to take sometime, you  
6 know, because remember last year, we postponed this  
7 project.

8 We were getting really close to getting  
9 all the planning documents ready, but we were -- in the  
10 fall by then, it was fall of last year and we decided it  
11 was way too risky to start digging out fill site 6,  
12 and -- because we knew we'd be going right into the  
13 rainy season.

14 So we need to start in May or in early  
15 June at the latest so we can dig out the landfill,  
16 daylight the creek, you know, pull that pipe and build  
17 the appropriate erosion controls at this site before the  
18 heavy rains start, you know, in October and, you know,  
19 November time frame.

20 So I think that I met with Jim and Bob  
21 about that today and I think we're in pretty good shape  
22 to start that managing.

23 So Baker Beach 3 and 4, as you know, those  
24 projects are done and we're writing the construction  
25 completion report, and Lew and -- is working on the site

1 restoration, getting the site revegetated.

2 Baker Beach 1/2 is of course, as you know,  
3 a super complex remedial design that we've been working  
4 on for over a year now, and one thing that we had to do  
5 is we had to do a -- a separate fill investigation which  
6 is underway right now and we needed to collect  
7 information regarding geotechnical information.

8 So stability of -- of the landfill so when  
9 we dig it out, and to better understand the cultural  
10 resources at this site to make sure we comply with the  
11 National Historic Preservation Act.

12 That's why we had to do an additional  
13 investigation right now. We'll take that information  
14 from that additional investigation, put our final  
15 designs together and work on -- hopefully start the  
16 Merchant Road relocation project is going to start in  
17 August, and that is kind of like a concurrent project  
18 that's going to free up some additional staging area for  
19 us once Merchant Road gets realigned, and then after  
20 that, we can actually start the cleanup work, which is  
21 going to be done in two phases.

22 The first phase will be just digging out  
23 the -- the waste up on the bluffs of the -- of the -- at  
24 these sites, and then we'll finish that off and then --  
25 then start working on the cliff side.

1                   So I'll be very, very happy to get that  
2 project started since it's had such a complex and long  
3 lead time as far as getting the, you know -- all the  
4 planning documents together.

5                   So we have some photographs of these -- of  
6 this -- what's called -- is that the Spider?

7                   MR. ULLENSVANG:   Spider, yes.

8                   MR. COOPER:    I know the photograph's not  
9 great, but that picture that you see, that's Baker Beach  
10 1A test pit, and the second test pit.

11                  It looks like a regular old conventional  
12 back hoe, but it's really not. It's actually on this  
13 kind of -- track mounted on the device that helps it  
14 maneuver down very difficult and steep terrain, so I  
15 know the photograph -- if we had been able to put it up.

16                  I'll carry these pictures over for the  
17 next RAB presentation so we can see it, and we -- our  
18 testing this out, not only for our investigation right  
19 now of these sites, but if this type device works well,  
20 we may use this exact same type device to dig up the  
21 waste material that's in difficult places to reach for  
22 conventional technology.

23                  Anything else to add on that, Brian?

24                  MR. ULLENSVANG:   No. They'll be out  
25 there all this week, as well, for people that are out in

1     that area.

2                   MR. COOPER:    Yeah, so if you want to park  
3     there and check out that particular piece of technology,  
4     it's pretty interesting the way it can get around.

5                   As you can see, it's hard to tell from  
6     this picture, but it's gone way down the --

7                   MR. ULLENSVANG:  It's like a small  
8     excavator on four legs with wheels.

9                   MR. COOPER:    Kind of Star Wars type,  
10    yeah.

11                  MS. BLUM:     Something out of George Lucas.

12                  MR. COOPER:    We should have George Lucas  
13    take a look at the Spider excavators.

14                  MS. TRIGIANI:  Maybe he'll give a  
15    donation.

16                  MR. COOPER:    Here's my RAP 3 slide.  
17    That's why I got all confused.  It got out of order  
18    somehow.  Two things go on at RAP 3.  We've been talking  
19    to DTSC about RAP 3 and then also, you know, there's a  
20    chapter missing from RAP 3 as you pointed that out in  
21    your comment letter, and that's going to go out this  
22    week.

23                  We got park service concurrence on that.  
24    So what we call chapter 18, which are the two RAP 3  
25    sites that are down by the commissary PX area, that



1 chapter will go out this week, and then every single  
2 chapter in RAB 3 will now be out, you know, for everyone  
3 to look at.

4 Speaking of commissary PX, you know, we've  
5 had a draft RAP -- draft cap corrective action plan out  
6 there for quite a while, about six to nine months now.

7 We've gotten a lot of comments on that.  
8 It's taken us quite a bit of time to rethink our overall  
9 strategy, carefully consider everybody's comments and  
10 come up with the best kind of revised, you know, cleanup  
11 strategy for the commissary PX, which is really  
12 something that addresses everyone's comments.

13 So we're really close, you know. We're  
14 going to be giving something to Brian later this week or  
15 very early next week, and so I'm pretty confident that  
16 I'll be able to present, unveil what a revised strategy  
17 is under the commissary PX cap at the next RAB meeting.

18 I think it was scheduled to happen this  
19 one, but we didn't quite get it ready in time.

20 So also, you know, there's a 1065 cap,  
21 which will be coming up this summer as you can see.  
22 It's due to the Regional Board on June 30th, so that's  
23 going to be an important document, and the next slide,  
24 the last slide on this one, 1349 cap is already -- it's  
25 undergoing public review, RAB review right now, and I

1 talked to you about this, to Bob and Jim, that we'd like  
2 comments on this cap by April 30th.

3 And then the last cap, corrective action  
4 plan that we have at the Presidio is for the 207/231  
5 area, and it's due July 15th. So this summer we're  
6 going to have a lot of caps going on, a lot of  
7 discussion about those.

8 At the mustard agent bottle site, as you  
9 all know, we got this letter from Bruce Handel. It's my  
10 responsibility to start -- I need to put together a  
11 draft response. I haven't started it yet.

12 I got to do that, and in fact I got to get  
13 a draft response by the -- I want to get it, because I  
14 promised you guys that I'd sent out send out a draft of  
15 this letter before I send it out to the Army.

16 I want to do that before the May meeting,  
17 because we've invited the interested citizens. I think  
18 I mentioned it before, e-mailed and called Bob and Bruce  
19 Handel himself. He wants to come to the May meeting and  
20 discuss this issue.

21 So I think it would be good if we had a  
22 draft letter that we could be talking about at the same  
23 time.

24 MS. TRIGIANI: What are the nature --  
25 what's the nature of his interest? Can you describe it?

1 MR. COOPER: Yeah. He -- basically he's  
2 frustrated that it's taking so long, that the fence has  
3 been up for a long time now and not for lack of public  
4 access to the redwood trees, which is -- he says it's  
5 one of his favorite spots in the Presidio, so general  
6 frustration about the --

7 MS. TRIGIANI: Okay. Thanks.

8 MR. COOPER: Okay. So there you have it.  
9 Did I just go through all the pages?

10 MR. ULLENSVANG: The last thing.

11 MR. COOPER: Last slide is presently  
12 released documents. Okay. That lists things that have  
13 recently been sent out. Nothing all that new. The  
14 draft contingency cleanup report on Birmingham Street.  
15 That was like a big steel distribution pipeline removal.  
16 Everything else I think you're familiar with.

17 FACILITATOR KERN: I could report that  
18 the administrative working group looking at the budget  
19 was going to meet yesterday. That was cancelled due to  
20 one of the members of the group not being available, and  
21 so they're going to meet a week from tomorrow to talk  
22 about the tracking.

23 So because of the time, I don't really  
24 want to plague anyone with talking about landfill E, but  
25 I think there's a question in my mind that at least I

1 can throw out the question, let it -- let you dream  
2 about it at night and then -- I'm -- given all the work  
3 that we put in to looking at hybrid alternatives and  
4 things that would have met a lot of the community's --  
5 at least this community's interests, I'm concerned and  
6 interested in the explanation about why there wasn't  
7 more -- why didn't you go that direction?

8 So maybe you don't need to answer it.  
9 There's probably a lot of questions that people have,  
10 but --

11 MR. COOPER: Yeah.

12 FACILITATOR KERN: -- I happened to leave  
13 before that was announced, so I probably would have  
14 asked at the meeting, so --

15 MR. COOPER: Right. Well, at the  
16 meeting, I went into a fairly detailed explanation of  
17 what was, you know, kind of tipped the scales for the  
18 trust, and I think that we should dedicate a full agenda  
19 item to this.

20 FACILITATOR KERN: All right.

21 Thank you for your -- these presentations  
22 tonight, and the work, I'm sure that people will be  
23 interested in going out to that Baker Beach 1 site since  
24 it's interesting to see that Star Wars stuff.

25 The regulatory agency agencies. Bob and

1 Jim.

2 Bob, anything?

3 MR. BOGGS: Just add that we've had three  
4 meetings so far, probably three-hour meetings each at  
5 least regarding RAP 3 so far and we're plowing ahead and  
6 will probably have another meeting, so hopefully we'll  
7 just go ahead.

8 Other than that, nothing special.

9 FACILITATOR KERN: Jim.

10 MR. PONTON: I just want to report that  
11 last month's RAB a month ago, in your comment letter on  
12 Lobos Creek, I became aware of the issue with the storm  
13 water discharges to the creek of potentially untreated  
14 sewage during high flow events.

15 I was never aware of that issue, and  
16 following the meeting on the following day, I went to  
17 work and I met with our division chief with MBDS and we  
18 started contacting SF PUC, and the week after that, they  
19 video surveyed the line and last week they abandoned the  
20 line. They sealed it.

21 So that's complete, and we may seek  
22 enforcement action, but that's between our division  
23 chief and SF PUC.

24 So I just want to report back. I know RAB  
25 members were concerned what the Water Board would do

1 with that information and we moved forward on it and got  
2 things done. Thanks.

3 FACILITATOR KERN: Thank you, Jim.  
4 Julian.

5 MR. HULTGREN: I just want to thank Jim  
6 for the rapid response to that issue and also  
7 congratulate you on getting the City to take some  
8 action, which certainly isn't the easiest thing in the  
9 world. Thanks a lot.

10 MR. SUTTER: So that line has been  
11 plugged?

12 MR. PONTON: The line's been cemented,  
13 and I just want to add that if any of you observe  
14 anything unusual, to please use this as an opportunity  
15 to report it to me or to Bob or to the trust because I  
16 was surprised to really see that in that letter.

17 I didn't realize that that was an issue  
18 and -- nor did anyone in our office, and we could have  
19 probably -- I know we could have taken action in a much  
20 sooner -- at an earlier date had we known what was going  
21 on.

22 So we can't really always help if we don't  
23 always know what's going on. So I --

24 FACILITATOR KERN: We appreciate that  
25 very much, Jim, and at the time we had reported it to

1 all the appropriate authorities and it went -- either  
2 dropped through the cracks or was selectively just sort  
3 of moved to the side or whatever they did.

4 They did act on one of the sewer  
5 crossings, but that also took several years for the City  
6 to -- and this issue just because the other one was more  
7 important or more impressive, this one just kind of got  
8 shelved.

9 MR. PONTON: Yeah, well, we deal with  
10 storm water and sewage and we deal with all those things  
11 at the Water Board, so it's not -- so any time -- and if  
12 we don't handle that, we would shepherd it to the right  
13 agency.

14 So I just want to re-emphasize that to let  
15 us know what's going on before it becomes a problem.

16 MS. BLUM: I'm not exactly sure where the  
17 sewer line came into Lobos Creek, but a couple of months  
18 ago when I was working in Lobos Creek, we saw a part of  
19 what looked like a retaining wall or something from the  
20 Lake Street side had fallen halfway down the embankment  
21 and there was a tree down that was falling into the  
22 creek.

23 Is that the -- is that still there or did  
24 you see it? Is that where 22nd Street problem is?

25 MR. PONTON: I don't -- I can't answer

1 that.

2 FACILITATOR KERN: I think I've seen what  
3 you're talking about. That's not near the 22nd.  
4 That's --

5 MS. BLUM: That may be another problem,  
6 and this was -- gee. I think I saw this really before  
7 this batch of rain that we've had it seems like three  
8 months.

9 It could have been a couple of months ago,  
10 but it looked like a piece of concrete retaining wall or  
11 somebody's patio or something had fallen down on the  
12 Lake Street side.

13 It was halfway down the embankment. It  
14 was a big chunk of concrete, a big chunk, table size and  
15 a tree had fallen down.

16 So I don't know what the chain of events  
17 were, but it was in Lobos Creek.

18 MR. PONTON: Right.

19 MS. BLUM: The tree was in Lobos Creek.  
20 So I think the steward on that particular site, Tim  
21 Doherty, had reported it to the trust, and I don't know  
22 what, if anything, had --

23 MR. ULLENSVANG: The park service, and we  
24 have folks in our office who are aware of it and are  
25 working through it. There's some bird nesting



1 associated with removing anything at this time of year.

2 MS. BLUM: I think he was concerned that  
3 there was some kind of underground leakage that had  
4 caused the embankment, but he didn't know.

5 MR. ULLENSVANG: And I'm not that sure --  
6 I'm not that involved in those details, but I do know  
7 that folks in our office are aware and they're working  
8 with the homeowners, because there's some property line  
9 issues involved.

10 MS. BLUM: Is that something the  
11 Regional -- the Water Board should be concerned with or  
12 have they advised the water -- have they advised the  
13 Water Quality Board?

14 MR. ULLENSVANG: The park service issue.

15 MS. BLUM: But since it's in Lobos Creek,  
16 would that not affect what Jim does?

17 MR. ULLENSVANG: I'm not -- I'm not sure  
18 if it does or not. I know our folks are trying to deal  
19 with the issue.

20 I'd be more than happy to talk with Jim  
21 about it if he wanted to, but I think it's just a tree  
22 that's thrown down in the watershed.

23 MR. PONTON: We'll talk about it.

24 MS. BLUM: Okay.

25 FACILITATOR KERN: Well, thanks, Jim,

1 again --

2 MR. PONTON: Sure.

3 FACILITATOR KERN: -- for your work on  
4 that.

5 I think I've known about that for four or  
6 five years, so it's been a long --

7 MR. PONTON: I've been here four or five  
8 years.

9 FACILITATOR KERN: All right. Any other  
10 questions for Jim about -- new business.

11 Action items. We're going to talk about  
12 landfill E at some point, schedule it. We're going to  
13 schedule for Mary's RAB meeting format. We're going to  
14 move that to committee meeting.

15 It looks like we have some comments due in  
16 a weeks on 1349 if we're going to submit them. It seems  
17 to be the action items at the moment. Yes.

18 MR. SUTTER: Just a question, Doug. My  
19 monthly question about the FOIA appeal with NPS.

20 Has there been any response yet?

21 FACILITATOR KERN: Thank you for the  
22 reminder. That's worthy probably of a follow-up letter  
23 at this point and call. It's in -- a bit in an ozone.  
24 I haven't heard anything at all.

25 MR. ULLENSVANG: I couldn't hear.

1 FACILITATOR KERN: He's talking about the  
2 Freedom of Information Act request with the Department  
3 of Interior.

4 MR. ULLENSVANG: I've heard nothing.

5 FACILITATOR KERN: All right. Jan.

6 MS. BLUM: Michelle Passero and I had had  
7 some conversations about the possibility that some of  
8 the RAB members, if this even begins to make sense,  
9 could possibly pursue getting additional grants for  
10 remediation.

11 I don't know whether that makes sense or  
12 not, Craig, but since you don't have the staff, you  
13 can't do that. I'm wondering if it's something that we  
14 could discuss in committee if it makes sense.

15 If it doesn't make sense, tell us and  
16 we'll drop it, but I don't even know if we all have the  
17 time or not, but we're interested in pursuing that  
18 conversation.

19 MR. COOPER: I'm not opposed to receive  
20 additional funding. I -- I'm not aware, but Michelle,  
21 you know, obviously is much more educated on the subject  
22 than I.

23 I'm not aware of a grant program for  
24 remediation issues, the type that we're -- CERCLA type,  
25 you know, remediation that we're doing.

1 But if she can find something that could  
2 be a good fit for us that we could apply and put  
3 together, you know, I'm -- if you guys -- if you can  
4 find something, do a little bit of the homework for me  
5 and then we can understand -- if it could make sense, if  
6 we can find a fit to one of our remediation projects,  
7 even if it's just restoration aspects or whatever, the  
8 tail end of things, it's worth going for.

9 FACILITATOR KERN: She forwarded to me a  
10 new opportunity that she uncovered having to do with, I  
11 guess, special license plates where the Presidio could  
12 generate income around that.

13 MR. COOPER: Yes. I immediately -- I  
14 sent that not only to Dan Polk, the Congressional  
15 liaison, but Michael Boland, and they forwarded it  
16 directly to Craig Middleton, and so it's gone all the  
17 way to Craig Middleton and we're looking into it.

18 We don't -- you know, because -- you know,  
19 because their initial response was -- because it's a  
20 state -- you know those fancy license plates that will  
21 have Half Dome and that money, you know, goes to a  
22 conservancy that supports Yosemite National Park, and so  
23 we're looking into could we do the same thing for the  
24 Presidio, and would the money go to the trust or to the  
25 conservancy?

1                   And so I'm assuming they are, you know,  
2 looking into these issues, because Michelle said the  
3 deadline to get -- you know, because there's this new  
4 state bill coming that lists who should be the  
5 benefactors for the license plates coming up for next  
6 year.

7                   And so if we want to get our toe in the  
8 door, it needs to be fairly soon, but I know Michelle is  
9 not here, but it's a great idea. It's a great idea, and  
10 trust people are -- they're looking into it.

11                   I don't know -- the money would probably  
12 not go to remediation, but we should at least get a  
13 finder's fee, you know.

14                   FACILITATOR KERN:    So I've got a new  
15 action item, the FOIA and also some follow-up on our --  
16 on these opportunities that Michelle is trying to  
17 generate for the -- plus this one that you're just  
18 mentioning about RAB people coming up with funds for  
19 remediation.

20                   So we have agenda items through the normal  
21 channels and we'll try to generate some questions again  
22 for the next meeting.

23                   Anything else before we adjourn?

24                   MS. BLUM:    Do you want to talk about  
25 subcommittees at all or is that a dead issue?

1 FACILITATOR KERN: At the committee  
2 meeting?

3 MS. BLUM: Committee meeting.

4 FACILITATOR KERN: Yeah. It's not a dead  
5 issue at all. We have, for example, the administrative  
6 working group is going and hopefully Mountain Lake,  
7 we'll have something, so not dead.

8 Anything else?

9 All right. We're sort of calling them  
10 working groups.

11 MS. BLUM: Okay.

12 FACILITATOR KERN: Then without  
13 objection, meeting adjourned. Thanks to everyone.

14 (The meeting concluded at 9:38 PM)

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1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )  
3

4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the  
6 time and place therein stated; that the foregoing is a  
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the  
10 foregoing meeting and caption named, or in any way  
11 interested in the outcome of the cause named in said  
12 action.

13  
14 IN WITNESS WHEREOF, I have  
15 hereunto set my hand this  
16 \_\_\_\_\_day of \_\_\_\_\_,  
17 2005.

18 \_\_\_\_\_  
19 Mark I. Brickman CSR 5527  
20  
21  
22  
23  
24  
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MAY 10, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527



## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Peter O'Hara

Craig Cooper

Brian Ullensvang

Jim Ponton

Gloria Gee

Sam Berman

Jan Monaghan

Julian Hulgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mary Trigiani

David Sutter

Bob Boggs

George Dies

Steve DiStefano

Also Present:

Mark Frye

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on May 10, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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## AGENDA

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2) Agenda Discussion and Approval:	6
3) Announcements and Old Business:	6
4) Committee Business and Reports - RAB Meeting Format:	7
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5) Reports and Discussions - Remediation Program Cost Tracking:	45
Mustard Agent Site - Craig Cooper:	83
6) Regulatory Agency Status Updates - Jim Ponton, Reg Water Quality Control Bd:	None
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7) New Business:	None
8) Review of Action Items/Agenda Items:	89
9) Adjournment:	91

1 FACILITATOR KERN: I'm going to start.

2 Welcome, everyone, to the regularly  
3 scheduled meeting of the Presidio Restoration Advisory  
4 Board for May 2005, and just as a way to -- to recall,  
5 this is the beginning of our twelfth year of service.  
6 We've completed eleven years, moving into our twelfth  
7 year.

8 I'd like to welcome everyone to the  
9 Presidio Trust, National Park Service, our regulators  
10 and community RAB members and any members of the public  
11 that are here tonight.

12 I would note that we are trying to do  
13 something a little bit different by actually starting at  
14 seven o'clock so we can get people out of -- earlier,  
15 which has been something that people have been  
16 recommending to me.

17 So I thought we'd save that ten minutes  
18 and I anticipate that people will trickle in and then we  
19 can actually start the meeting in a few minutes.

20 Does that seem reasonable now that we  
21 started, we will delay for a few -- check back in at  
22 five minutes after?

23 MS. BLUM: It's going to be hard.

24 FACILITATOR KERN: Well, we did start.

25 (Recess taken).

1 FACILITATOR KERN: So I began the meeting  
2 at seven o'clock and I said that I would check in at  
3 five minutes after just to see if we were there ready to  
4 actually start. The reason for precise start time is  
5 that a lot of people have been mentioning, "Oh, I want  
6 to get out earlier. I want to get out earlier."

7 So I thought I would try to save ten  
8 minutes at the beginning and actually start on time.

9 Does it feel like we've got enough people  
10 to commence?

11 MS. TRIGIANI: Dave's in the parking lot.

12 FACILITATOR KERN: Dave's in the parking  
13 lot. The meeting has already started.

14 Welcome just a few minutes later. I hope  
15 you still feel welcome and happy and all that. I will  
16 say that this is the start of our twelfth year of  
17 service on this board.

18 Okay. Where are we? Does everybody have  
19 the regular agenda and this -- what looks like a Power  
20 Point agenda?

21 All right. So I'll just show you there's  
22 a title slide and then there's what appears to be a  
23 rather precise timed agenda on there.

24 Maybe wishful thinking, but I'm just  
25 getting nudges to actually try to have some precision on

1 the agenda and getting people in and out, and then  
2 there's a little bit more detail on the next two pages.

3 Is everybody -- are there any changes or  
4 any additions to the agenda? Very good. Then we'll  
5 proceed ahead keeping precisely on schedule.

6 Are there any announcements? Jan.

7 MS. BLUM: The trusts will be having one  
8 of their public board of directors evenings on the 18th  
9 of May right here at five o'clock in the afternoon for  
10 all you early birds and they're going to update on  
11 projects on the Presidio Press, and there will be time  
12 for public comment.

13 The regularly scheduled rain parade ground  
14 scoping meeting has been moved to the 23rd of May and it  
15 commences at 6:30. It would be very interesting for all  
16 of us who can attend to attend the public board meeting.

17 MS. MONAGHAN: On the 18th?

18 MS. BLUM: On the 18th at five o'clock.

19 FACILITATOR KERN: Jan, did you say  
20 they're taking questions or something?

21 MS. BLUM: They will be open for public  
22 comment.

23 FACILITATOR KERN: Public comment. Okay.

24 MS. BLUM: You can ask questions, but I  
25 don't think it will get answered.

1 FACILITATOR KERN: Not for me to comment  
2 about this at this point.

3 Any other announcements? Then we're on  
4 schedule.

5 So the next item is the committee business  
6 and reports, and that has to do with our meeting format,  
7 which I suppose by way of introduction, I can give you  
8 some background about what this topic is.

9 When I went to -- to China and was absent  
10 for a little while, there seemed to have been quite a  
11 bit of discussion that got generated while I was gone  
12 around the meeting format and what we're doing, and when  
13 I got back and I saw that wow, this is pretty  
14 interesting, a lot of energy around it, a lot of  
15 discussion, and I talked to some people about what they  
16 were thinking and I saw a lot of comment about things  
17 that -- that really had to do with getting more  
18 information and not staying so long and trying to make  
19 things more efficient, and I really wanted to take that  
20 to heart and try to respond to a lot of those comments.

21 It seemed to me that perhaps there was  
22 some underlying deeper reasons for that, which I thought  
23 I could talk a little bit about tonight.

24 So by way of background, the particular  
25 meeting format, the way it has been going up to this

1 point is something that the RAB actually asked for and  
2 trying to plan for and that particular format was to ask  
3 the trust to go through all their sites and make some  
4 report about that and that -- how that evolved sort of  
5 turned out for me and perhaps Sam or a couple of others  
6 asking Craig -- interrupting Craig's presentation, just  
7 trying to remember things as we went, asking questions  
8 as -- as things unfolded.

9           The feedback that I've been getting about  
10 that is that that seems really inefficient to people,  
11 causes everybody to have to just remember all the sites  
12 and then to be able to spontaneously ask questions, and  
13 many of you were telling me that while they appreciated  
14 my questions, they didn't really understand maybe where  
15 my questions were even coming from.

16           So I realized that maybe some -- some  
17 revision was necessary. This has taken a long time to  
18 get to that point, and so some of the ideas that were  
19 kicked around might actually have some effect on this.

20           So one of the ideas would be for the RAB  
21 to ask questions of the trust in advance, a couple weeks  
22 so they could prepare, they could know what it was that  
23 we were interested in.

24           That seemed like a good idea, too, to me  
25 and we began trying that. We actually tried some of

1 that even before I went to China, just asking general  
2 questions, where's the site, what's going to be the  
3 cleanup remedy, how much is it going to cost, those kind  
4 of -- when is it going to happen, but those kinds of  
5 questions also -- it didn't quite work, either, and I  
6 think what was really needed then was something where  
7 the RAB is forming its working groups around particular  
8 sites and working on these things in advance,  
9 generating, you know, all the background information,  
10 maybe requesting information as necessary from the  
11 trust, having their internal group meetings and then  
12 presenting questions or findings to the larger group at  
13 a committee meeting to be discussed, and perhaps even  
14 then go to a full RAB meeting with questions and things  
15 being prepared for the trust.

16 So this seems like a -- a reasonable way  
17 to go. It seems like it gets us in the position of  
18 needing to -- and wanting to know more about the sites  
19 and getting all that information under our belts rather  
20 than just sort of sitting here and listening, sort of  
21 more or less passively and commenting.

22 Those comments, I'm sure Craig appreciates  
23 every last comment that we make and enjoys the banter,  
24 but I think for efficiency and for effectiveness, it  
25 would help us to really distill coherent comments ahead



1 of meetings. That way these meetings become very  
2 productive, hopefully. That would be the idea.

3 So there are some changes afoot here. I  
4 would -- I would say well, why is this even really  
5 necessary? It's -- and this addresses perhaps some  
6 deeper underlying issues, at least concerns that I would  
7 have and that I voiced to many of you at our committee  
8 meetings and the e-mail.

9 My feeling is that the RAB will do its  
10 absolute best if we're involved early in the process,  
11 and what I mean is if there's ongoing discussion about  
12 particular site, what will the remedy look like, how  
13 will it evolve, what are the various options to be  
14 considered.

15 It's better if we're involved at an early  
16 stage in that process.

17 I think what has been happening for us is  
18 that remediation department, you know, they -- through  
19 their consultants develop a report over quite a bit of  
20 time and money and then we get -- and I think the  
21 process also involves delivery of that report to the  
22 park service and there's quite a bit of discussion that  
23 goes on, and then finally we get it, and my sense of it  
24 is that a lot of -- a whole lot of discussion has gone  
25 on prior to us getting the document, and if I might be

1 really so bold as to say I think there might even be  
2 some exhaustion perhaps on the part of the trust and the  
3 park service having worked these sites over and over.

4 And by the time we get there, it's  
5 almost -- it feels to me a bit like the thing may be  
6 complete. The options as they are presented may be  
7 finished.

8 What I'd like to see us return to is more  
9 of a early involvement where we can participate in the  
10 design, discussion of various remedies and their costs  
11 and really have an ongoing discussion as -- as things  
12 evolve.

13 To do that, we're going to need to engage  
14 the remediation department in a different way, and the  
15 way that we can start is through our meetings and our  
16 working groups, getting knowledgeable with the materials  
17 that are already available.

18 I know, for example, I've commented quite  
19 a bit about landfill 8 and 10 not really knowing,  
20 constantly asking Craig what's going on with 8 and 10,  
21 and they've been working on it, they've been working on  
22 it and working on it, and it's come out recently what --  
23 at least a hint of what is being worked on.

24 Well, I think it would be good for those  
25 of us who are really interested in that subject to be

1 working alongside the trust along the way so that we can  
2 have input along the way in the development of the  
3 alternatives.

4 By the time that we receive the report, it  
5 seems to me that they may have been through three or  
6 four potentially expensive iterations with consultants.

7 We've often commented here at our meetings  
8 well, how much does it cost to write these reports and  
9 do they really -- do the consultants really get paid  
10 every time that this document is rewritten?

11 And the answer is yes, they do get paid  
12 every time it's rewritten, and it seems to me that by  
13 the time it gets to us, it shouldn't be yet again  
14 another rewrite, because now we have a different view.

15 So I'm -- I'm really going to seek that  
16 the way we engage in this process is through gathering  
17 of information, working in working groups, inviting the  
18 trust and others to participate, but getting our own  
19 heads around these particular sites so that we have  
20 really coherent questions to ask.

21 Now, in my agenda, I also have RAB goals  
22 as being the full cleanup of Presidio lands and  
23 effective use of the remediation funds, and that's the  
24 basis, I think, that the Restoration Advisory Board has  
25 always worked.

1           Are there any other thoughts about what  
2 people think the role of the RAB is? I guess what I  
3 mean is as I view it as trying to make sure that the  
4 Presidio's cleaned up and the money is used effectively.

5           I mean, to me it's as simple as that. For  
6 us to participate fully and effectively in that, we  
7 just -- information is the key and being involved early  
8 and often is really the key, too.

9           So as I say this, it's not -- I'm not  
10 trying to suggest that anybody is to blame. Being the  
11 one sitting up here and trying to promote a certain  
12 direction, if anybody is to blame, it would be me, but  
13 I'm listening to you and I'm hearing that you want more  
14 effective meetings and more effective input, and so what  
15 I think it's going to be is that we need to go to work  
16 and sign up for various working groups for various  
17 sites, develop the kinds of questions and insight that  
18 will make us more effective engaging with the  
19 remediation department, and then see how that works.

20           So I said in my agenda that I would chat  
21 like that for about twenty minutes, but I think I'll  
22 pause and see if there's any -- any questions or  
23 response about where I'm going or what I'm talking about  
24 or were people surprised or concerned or your thoughts.  
25 Gloria.

1 MS. GEE: I was thinking just to help  
2 facilitate that, it would be useful, I think, for all  
3 the members, the RAB members to get -- from Craig or  
4 whoever the -- sort of an overview of the calendar, you  
5 know, like the urgency of certain sites so that we  
6 can -- because we all have limited time resources, so we  
7 can sort of focus on those that are at the forefront,  
8 the important ones, you might say. I think that would  
9 be really helpful, too.

10 FACILITATOR KERN: So overview of the  
11 calendar and schedules. Okay.

12 Other thoughts and ideas at this point?  
13 Any discussion? Does it seem like a reasonable course?

14 MS. BLUM: Mm-hmm.

15 MS. PASSERO: You might want to add for  
16 an evolution of the last committee meeting, a lot of  
17 these ideas came up during that discussion.

18 FACILITATOR KERN: Well, that's true. I  
19 mean, it's -- I'm not particularly inventing this on my  
20 own. It has been coming from the discussion that  
21 started while I was away and then I engaged the group at  
22 our last committee meeting about how to proceed, and it  
23 may be worthwhile to bring up some of the concerns RAB  
24 members had at that point about a change in course.

25 Some -- some members voiced the concern

1 that the reason that we had it set up this way in the  
2 past was that all the subjects were covered and that it  
3 was reasonably comprehensive and that maybe while  
4 tedious or perhaps a little bit boring, at least we were  
5 getting all the information and we had a chance to ask  
6 the questions that we needed, which seems like a  
7 perfectly reasonable reason that we had the previous  
8 format.

9           We were getting a lot of the information.  
10 It's just that we're getting it at the tail end of  
11 the -- of the procedure, and it seems that for us to be  
12 effective, everybody needs to understand the information  
13 in such a way that -- and this is a very complex  
14 program.

15           There are lots of sites that are all  
16 happens at different times, lots of different chemicals,  
17 lots of different rules and laws about how it's going  
18 and then there are the reuse issues all going on at the  
19 same time.

20           So it seems like a reasonable point in  
21 time to change course with the meeting format and how we  
22 engage, because there's really not that many sites in  
23 some ways that are left open for discussion.

24           There may be ten left on our plate that we  
25 really need to work with the trust, and I'm speaking

1 about sites such as Lobos Creek where recently in our  
2 RAB comments, we provided a lot of comments. Some of  
3 those have already been acted on, and there's others  
4 that we'll need to track and work with the trust on.

5 Mountain Lake is another site that is  
6 really important to all of us. There's a lot of --  
7 again, through some of the work of our regulators,  
8 there's extra money going into that site and there's --  
9 there's a lot of -- there's a lot to pay attention to.

10 So I really think there's probably ten or  
11 so sites that we could form working groups around and  
12 that people could actually dig really deep into those  
13 sites and push the agenda for those sites as necessary.

14 MS. BLUM: I would just like to say that  
15 I would support that concept. I think it would help me  
16 concentrate on sites that I am more interested in and  
17 perhaps others and get more familiar with the  
18 terminology, which can be very arcane to the average  
19 person.

20 I feel like it's a very good way to get  
21 focused and get engaged. So I support the idea and  
22 concept.

23 One thing that I think would be very, very  
24 helpful for every RAB member is to have what I call the  
25 Sam Berman map, the one that I copied from him that he

1 got from EKI several years ago and it shows not only the  
2 streets, but the landfills. That's really a great map  
3 to have and that way it gives context to what we're  
4 discussing on the sites.

5 And maybe you can recommend for those of  
6 us that are interested in remedial working some kind of  
7 crunch course or crash course that we can take in this  
8 particular art and science that would be helpful to our  
9 efficiency. There might be a course that's given.

10 FACILITATOR KERN: I'll have to think  
11 about that.

12 MS. BLUM: I don't know for sure.

13 FACILITATOR KERN: It seems like  
14 belonging to the RAB is like a course.

15 Jack.

16 MR. LUIKART: So subcommittees result in  
17 what change in the format at this meeting?

18 FACILITATOR KERN: Well, the way the  
19 meeting seems -- the way the meeting is now is that  
20 there's a standing agenda where Craig reports on  
21 effectively everything that he's doing.

22 MR. LUIKART: Right.

23 FACILITATOR KERN: Sometimes he whizzes  
24 through things where we stop him if somebody has a  
25 question.



1           The change would be that we would look out  
2 at the schedule as Gloria recommends and perhaps in  
3 concert with the park service look at the schedule,  
4 what's coming up, prioritize our working groups and get  
5 to work on what we think are going to be the important  
6 questions and information around a particular site.

7           I would just pick out an example.  
8 Landfill 8 and 10 is an important site. It's not clear  
9 to me exactly what the priority is right now because it  
10 was being driven by work around the public health  
11 hospital.

12           That seems to be on hold, but if we can  
13 say that that was indeed a relatively high priority site  
14 to work on, then a working group would collect  
15 information on landfill 8, all the things that we  
16 usually rely on Craig to present at a meeting, where's  
17 the site, what is contained in that, the kinds of things  
18 that all of us reasonably could remember, but if you're  
19 not dealing with this everyday for ten years, you may  
20 not remember that at one point in time for about ten  
21 years, the actual fill material had not been sampled.  
22 Just get all that information together on a fact sheet.

23           So maybe the product would actually be a  
24 fact sheet from the working group that can be  
25 distributed, be put in a binder, progressed to the RAB

1 members. So you would have a list of where is it, a  
2 map, what are the chemicals of concern, what are  
3 basically all the issues that go along with that site,  
4 what have been some of the proposed remedy alternatives,  
5 try to encapsulate all the possible information that's  
6 available.

7 And the reason for doing that is by the  
8 time -- well, I'm thinking of landfill 8 and 10 again as  
9 an example, that I think many RAB members were up to  
10 speed maybe a year plus ago about what was going on at  
11 the site, but as there were delays for a variety of  
12 reasons, it's my impression that perhaps many people  
13 don't even know exactly where the site is anymore and  
14 what it -- you know, there's a cemetery under landfill  
15 8.

16 Perhaps most people remember all that, but  
17 there's always a need for a refresher. So there would  
18 be a working group that could produce this and have  
19 distilled information.

20 MR. LUIKART: I want to fast forward.

21 FACILITATOR KERN: Okay.

22 MR. LUIKART: Let's say we come to the  
23 meeting and we have this great binder and we know  
24 exactly what we want to know.

25 How does that speed up the meeting?

1 FACILITATOR KERN: Well --

2 MR. LUIKART: Does that stop questions  
3 from being asked? Does that allow you to speed up the  
4 process in any way or is it going to lead to the same  
5 format at the meetings, just with more information?

6 FACILITATOR KERN: It seems to me that it  
7 will -- at least in concept, it will eliminate the where  
8 is it, what's going on at the site, all the preliminary  
9 questions. It should --

10 MR. LUIKART: I only think it works if  
11 you take strong control of the meeting and you force  
12 people to stay on track, and that's up to you.

13 FACILITATOR KERN: I have been given some  
14 of that feedback over the last month.

15 MR. LUIKART: But everything you said is  
16 very good, but it doesn't change the meeting.

17 MS. TRIGIANI: Doug --

18 MR. LUIKART: You change the meeting.  
19 That's good. I support that, but you have to do it.

20 FACILITATOR KERN: I'm -- I hear you on  
21 that, and I think that's partly the direction that I'm  
22 gently trying to take.

23 MS. TRIGIANI: More to Jack's point, one  
24 of the things that we had talked about at the committee  
25 meeting was this question of content, and this is really

1     germaine to what Jack's saying.

2             Not every meeting has to cover every site,  
3     and that's where the concept of some sort of exception  
4     reporting, a version of exception reporting, which would  
5     then be again in the hands of the RAB.

6             In other words, if you have working  
7     groups -- first of all, you start with an overall  
8     schedule of what sites are being addressed when.

9             In a perfect world, we should be able to  
10    do a calendar for what our meetings will address a year  
11    in advance based on the trust calendar for remediation,  
12    and that way to your point, Jack, it's not as if every  
13    site has to be covered in detail at every meeting.

14            We would know well in advance, again, in a  
15    perfect world, maybe a quarterly -- three months in  
16    advance we would know that we're discussing landfill E  
17    at the November 2005 meeting or -- you know, just to  
18    pick.

19            So to Jack's point, it's not as if  
20    we're -- and I personally am not advocating covering  
21    every site at every meeting because I think that's been  
22    part of the difficulty and the challenge and I can't  
23    imagine having to emass that information every time, and  
24    I think that that's a huge work output for the trust, as  
25    well.

1           So the goal would be to start with that  
2 calendar, assign the working groups, I think, and then  
3 build a calendar for the meetings, the meeting content  
4 around that.

5           Does that means sense?

6           MR. LUIKART:   Then I would suggest that  
7 if questions arise for a particular topic, you then have  
8 to direct that person to go to the next committee  
9 meeting because it still isn't going to change people's  
10 information.  Actually it's going to create more  
11 information and maybe more questions.

12          FACILITATOR KERN:   Right.

13          MR. LUIKART:   So you've got to say to  
14 that individual you ought to go to the next meeting and  
15 have those questions addressed there, and that's how it  
16 speeds it up.

17          MR. BUDROE:   If you're talking about  
18 that, what's the next meeting, next working group  
19 meeting?

20          MR. LUIKART:   Yes.

21          MR. BUDROE:   Committee meeting, because  
22 if there's four or five working groups, for example,  
23 there's no way that I'm going to get to all of them.

24               Does that mean I don't get to ask  
25 questions?

1                   MR. LUIKART:    I'm asking how does it  
2   change this meeting.  It doesn't appear to me that it  
3   can unless we eliminate all -- some of the questions  
4   that are asked and some of the good spontaneous dialogue  
5   that's important, but perhaps more important as a  
6   committee meeting rather than spending three hours over  
7   here doing it.

8                   I haven't been a part of this discussion  
9   prior to this, but I support what is being said.

10                  MR. BUDROE:    But that's the thing with  
11   these central -- decentralizing it like that.  If I come  
12   to one committee meeting and ask some questions and get  
13   told, "Well, there's two working groups dealing with  
14   that."

15                  Well, I might not be able to make, you  
16   know, two or three or four working group meetings that  
17   go on beside the two committee meetings in that month.  
18   Logistics can wind up making it impossible.

19                  FACILITATOR KERN:   Well, I'm seeing  
20   Gloria and then Michelle.

21                  To respond to that, I've always been  
22   particular sensitive to -- in fact, that's probably --  
23   I've been oversensitive to making sure everybody got  
24   their voice heard and that all the issues got raised  
25   and, you know -- and still try to get out in some

1 reasonable time.

2 So there's got to be some way of  
3 distributing the working group product amongst other  
4 members so that they can see along the way and try to  
5 stay up to speed. I'm not really sure what that is yet.

6 Gloria.

7 MS. GEE: I think in sort of addressing  
8 the question about how you can get some of these  
9 questions -- spontaneous questions addressed that are  
10 raised in committee or also in the regular monthly RAB  
11 meeting, I thought that one of the possibilities was,  
12 you know, like the RAB members could have some input  
13 into what agenda items would be coming up at the  
14 following RAB meeting.

15 So those could be special areas of  
16 interest that --

17 MS. TRIGIANI: Gloria, that's what I just  
18 said, was that the calendar of --

19 MS. GEE: Sorry.

20 MS. TRIGIANI: Let me just repeat this.  
21 Okay. The calendar of remediation events, the trust  
22 calendar for when they are -- when they are taking steps  
23 to do something drives how the working groups work with  
24 the trust or talk to the trust about what's going on,  
25 and in a perfect world, the working groups will have a

1 command of only a small number of sites, and I think  
2 Doug, one of the things that you had raised at the  
3 committee meeting was that perhaps we meet at the  
4 committee -- part of the committee meeting is devoted to  
5 a working group session, almost like a one room  
6 schoolhouse where each grade is working in a different  
7 corner, and that will eliminate meetings and also enable  
8 people then to ask questions dynamically in that one  
9 room schoolhouse at the committee meetings.

10 I don't know if that's still up, but  
11 again, everything -- if we start with the trust calendar  
12 and then focus our activities around their deadline,  
13 their milestones, then we -- then we set up the -- and  
14 I'm open to like reaction.

15 This is just me coming out of my head.  
16 It's been rolling around here for a month, for the last  
17 two weeks.

18 Then we take the working group. One  
19 working group will present something maybe at one  
20 session, and we know when that is. It's a public group.  
21 So that not every site is addressed, only in terms of  
22 what's exceptional and what's going on in that one.

23 Does that make sense?

24 MS. GEE: I know what you're saying, but  
25 I'm saying there might be some questions that don't fit



1 neatly into any working group.

2 MR. TRIGIANI: Okay.

3 MS. GEE: It could be issues like finance  
4 or insurance or something and then that's where I  
5 thought that in design -- proposing the subsequent RAB  
6 meeting's agenda, that some of those oddball  
7 questions --

8 MS. TRIGIANI: But the finance to me  
9 should be on every meeting's agenda. That's a working  
10 group.

11 MS. GEE: But I'm just saying as a  
12 conjecture that there might be certain issues that are  
13 raised and percolate up from the beginning that don't  
14 fit neatly into the existing working group, you know.

15 FACILITATOR KERN: I think you're  
16 correct.

17 MS. GEE: And then you can say okay. So  
18 Doug could be the one to say that well, for the June  
19 agenda of the RAB, we're going to insert this other  
20 additional topic, and so that it's not just the pro  
21 forma format that we've been accustomed to, but there  
22 would be some room for flexibility to address certain  
23 issues that have not been routinely addressed. That's  
24 the point.

25 That's what I was trying to say, that

1   there is some flexibility in terms of the format of the  
2   monthly RAB meetings.

3                   FACILITATOR KERN:   Absolutely.

4                   MS. GEE:   And I think that's where we can  
5   address some of these other questions that are really  
6   salient, but we haven't, you know, done so before.

7                   FACILITATOR KERN:   Okay.  Michelle.

8                   MS. PASSERO:   You can cut me off if you  
9   want.  Reserve something at the committee meeting for  
10   half an hour for individual questions, and if it's still  
11   important at that time, you know, if it can't be gotten  
12   through e-mail going back and forth for people asking  
13   questions, then allow just for a window of time there.

14                  FACILITATOR KERN:   Jan.

15                  MS. BLUM:   I have a question.  Have you  
16   discussed this new format with Craig or is this the  
17   first time he's heard about it?  That would be question  
18   number one.

19                         And then number two, how, if his day  
20   changes -- which is very likely.  It's happened, and  
21   interrupted, and I think that's what Gloria was trying  
22   to allude to -- he may have -- he may have a change in  
23   his calendar.

24                         How will we know?  How do we all work  
25   together without killing each other with over

1 communication and --

2 FACILITATOR KERN: Yeah.

3 MS. BLUM: -- tied into lock step?

4 That would just shut everything down  
5 unless we have a lot flexibility to run a business.

6 FACILITATOR KERN: It's really our  
7 responsibility first to organize ourselves. That's kind  
8 of what we're trying to do. In part -- it will actually  
9 be easier on Craig if I come to him and say, "I need to  
10 prepare this working group. Can you give us some  
11 materials?" And he'll probably go, "Sure."

12 He might not, but he may be invited to the  
13 meetings, you know. He may participate in those.

14 So those would be times when he would say,  
15 "Hey, this all got changed around, so now it's, you  
16 know, two years earlier."

17 I mean, all that would be going on I think  
18 with the working groups.

19 I don't think this is going to be more  
20 work for Craig. Yes, I have told him that we were going  
21 to try to make some changes and that tonight would be  
22 primarily about this, but he doesn't know the details  
23 because we're kind of talking about it here, and the  
24 last time we talked about it was at our committee  
25 meeting when we asked Craig to step out so we could talk

1 about what we wanted to do.

2 So he's hearing it a little bit on the  
3 fly. Yes.

4 MR. COOPER: I have a couple reactions.  
5 I mean, I like this idea, first of all, and we've --  
6 first of all, on Mary's point, the calendar event, to do  
7 it right, it's really the calendar of projects in fairly  
8 early in the planning stage, not the calendar of where  
9 we have construction starts.

10 Like before, remember I've handed out  
11 those schedules that show construction starts for each  
12 year. It's our planned construction starts. That's not  
13 really the calendar you're thinking about.

14 Going on your idea, Doug, to get earlier  
15 involvement would be like the calendar of sites where  
16 we're just starting to scope a corrective action plan or  
17 we're just starting to scope out RAP 5, for example.

18 So that's my understanding, and I've  
19 actually taken a shot on that. Remember I did a  
20 handout, and Jan, you're right. Things do -- remember I  
21 did that one handout, it was called Recommended Topics  
22 For Upcoming RAB Meeting and I kind of went out about  
23 six months for RAB and RAB committees and I put what I  
24 think -- and they were pretty much all planning 207/231  
25 corrective action plan.

1                   We've calendared maybe two or three visits  
2 with the RAB on that before we were going to even issue  
3 a draft.

4                   I think that's the model that -- it may  
5 not be a perfect start at it, but it's kind of the model  
6 that you're kind of looking for.

7                   FACILITATOR KERN:   Well, that schedule is  
8 what Mary's talking about.

9                   MR. COOPER:    Yeah.

10                  FACILITATOR KERN:   It pretty much  
11 reflects Craig's priorities.

12                  MS. TRIGIANI:   Right.

13                  FACILITATOR KERN:   So we would use -- we  
14 would consider those things and, you know, incorporate  
15 them into our schedule.

16                  MR. COOPER:    You saw two weeks ago I  
17 edited a couple times as things shifted around. Oh, I'm  
18 not going to be ready. This was more when it was trust  
19 presenting.

20                  I'm not going to be ready at the February  
21 RAB committee. Could we move this one to March. We'll  
22 flip this one around, but, you know, I can -- we can try  
23 to put something out there and stick to it.

24                  I mean, Brian and I will have to talk  
25 about how to do that because there's certain information

1     that --

2                   FACILITATOR KERN:     There's a little  
3     nuance here that I want to flow out to everybody by  
4     describing how we worked on one site here called  
5     building 637.

6                   That was a site where at a normal RAB  
7     meeting, rather than the trust even presenting the  
8     results of the site, RAB members actually produced a  
9     Power Point and described the location, all the  
10    important information about the site, the process of  
11    creating an alternative that was agreeable to all  
12    parties and described the preferred alternative and it  
13    was -- it was such -- you know, a good feeling, that the  
14    RAB -- the trust actually really didn't even present at  
15    all about the site.

16                   The questions that got asked that night  
17    were from RAB members to inform RAB members, and so the  
18    discussion was very collegial.

19                   I recall it even five years ago still  
20    being quite poignant that there were RAB members  
21    responding to rather detailed questions.

22                   There was a feeling afterwards of such --  
23    wow, this really worked. It was really incredible. We  
24    were part of the process. The RAB actually wrote a  
25    resolution commending the trust about the process.

1           And the site unfolded and all the various  
2 things happened to it as agreed.

3           It just seems like -- you know, I can also  
4 add that the RAB members actually wrote part of the  
5 document, contributed to part of the actual  
6 environmental document.

7           So it was a good process and it's  
8 something that while perhaps it seems like it would be  
9 way too tall of an order for us to do, I think a lot of  
10 prior preparation and organization, it would actually  
11 take us less time to actually work on the thing and  
12 provide input along the way than it would the sort of  
13 trust gets done with it, announces what they've come up  
14 with and we kind of go well, what's going on with this  
15 and it goes back and forth.

16           I just think that there's a lot better,  
17 more productive way to do that.

18           So I'm proposing that, that we -- in  
19 addition to engaging Craig and his group based on the  
20 schedule that they're putting out to us, that we  
21 continue to try to gather all the information we can  
22 and, you know, invite him and Brian and others to these  
23 working groups, and let me try to pound out some more  
24 details.

25           I'll take another break and get more

1 reaction.

2 It may actually save us time, particularly  
3 at these meetings if -- if it turns out that it's a RAB  
4 community member presentation and it goes for twenty  
5 minutes based on who we worked on this site, we worked  
6 with the trust, we helped write this part of the  
7 document. Here are the alternatives. Here's the ones  
8 that we prefer and why. The rest of the group goes wow,  
9 that's really good work. Okay. We agree. Next topic.

10 It seems like it could work like that  
11 because a lot of the work is done in these working  
12 groups.

13 Skeptics in the audience, please give your  
14 impressions.

15 MR. O'HARA: I think I got to go back to  
16 Jack's question, is what does that do to the meeting? I  
17 mean, does that -- does engaging and developing the  
18 plans as you're suggesting, how does that speed the  
19 meeting up? How do you -- how do you quantify the  
20 times?

21 FACILITATOR KERN: I conceptualize,  
22 anyway, that a working group -- I'll pick landfill 8 --  
23 goes to work on trying to work with the trust off-line  
24 outside the meetings to understand all of the  
25 alternatives rather than -- rather than Craig presenting



1 that. A RAB member perhaps could present it and the  
2 language and the detail of what people want to know  
3 typically would be in that -- I mean, because they're a  
4 community member, that would be the perspective that  
5 would be presented.

6 It's just my impression that when it's  
7 done that way, people are paying attention, and rather  
8 than to an agency member, it's one of their own members,  
9 and that while there may be questions -- and Craig and  
10 Brian and other members would still be there to answer  
11 those -- I think many of the questions would be answered  
12 in the process that's outside of these meetings. That's  
13 my impression.

14 John and then Craig.

15 MR. BUDROE: Okay. This is really about  
16 meeting efficiency. What we're talking about is really  
17 getting more input into the decision-making process so  
18 that we don't wind up getting input at the very tail end  
19 of the process where things have already been put  
20 together and all you're arguing over is the cosmetics of  
21 it, you know, the basic -- you know, the things that  
22 have been essentially all built out and we're just  
23 looking at small details.

24 But it's not -- be forewarned. This is  
25 going to require a lot more commitment and time on the

1 members. You know, it might save a little bit of time  
2 in the two meetings a month in terms of working group  
3 time. That's going to take a lot more time.

4 So as far as efficiency goes, it might  
5 improve, but the load's going to increase, also.

6 The other thing that I've got my qualms  
7 about is I don't know -- I'll be honest with you. I  
8 don't know how involved that project was that you were  
9 talking about.

10 Some of the projects that are coming down  
11 the pike are going to be very involved technically, and,  
12 you know, the question's going to come up is -- as to  
13 how qualified people are, how much of a background do  
14 they have in this kind of thing, how long will it take  
15 them to come up to speed to actually tackle the details  
16 of this stuff?

17 MS. TRIGIANI: Then what are we here for  
18 would be my question?

19 MR. BUDROE: But there's a difference  
20 between exercising oversight and actually helping to  
21 craft the plan.

22 MS. TRIGIANI: Mm-hmm.

23 MR. BUDROE: You have to have a lot more  
24 knowledge about the subject in one than the other.

25 MS. TRIGIANI: Well, speaking for myself,

1 I need to have more knowledge than I do in order to  
2 perform effective oversight.

3 FACILITATOR KERN: It's been -- it's been  
4 my perception that there are plenty of technical experts  
5 in the room. Sometimes what's not there is somebody  
6 saying now why we doing it like that? Just sort of that  
7 basic common sense view, which is what we bring.

8 There will be technical people -- you  
9 know, I don't expect a RAB member to be able to know  
10 seismic stability issues or, you know, failure rates or  
11 chemicals of concern issues, but just the common sense  
12 stuff that we bring, I'm looking to get that inserted  
13 early in the process.

14 So it may be difficult for someone who is  
15 not technical to be at those meetings to stay with it,  
16 but I'm hoping that anybody who's been able to stay with  
17 these meetings would actually be able to go to those  
18 kinds of meetings.

19 Craig.

20 MR. COOPER: One way that, you know, this  
21 could happen is that the RAB meetings then become  
22 like -- each -- a RAB representative from the working  
23 groups would then report to the larger group. That's  
24 maybe what Jack said earlier.

25 I think that's how Hunters Point RAB is

1 done. Isn't that right, Jim? It's the working group.

2 MR. PONTON: I can maybe explain how that  
3 all works if you'd like to hear how Hunters Point works.

4 FACILITATOR KERN: I'm going to be on my  
5 agenda, which I've been encouraged to. I've got two  
6 more minutes on this subject.

7 Craig.

8 MR. COOPER: That's how it improves  
9 efficiency. It gets more decentralized. The larger  
10 group, you're going to hear a summary of what that  
11 working group is.

12 There could be ways of doing e-mail  
13 amongst each other, that other people, you can share  
14 each other's fact sheets. If information gets shared  
15 that way.

16 What it would do for me, I agree it's  
17 going to be a lot more work for RAB members and probably  
18 more meetings for me to attend, but also just for me to  
19 get used to other people presenting about a site and  
20 that being okay, and if they don't quite get it right,  
21 that would be okay, also.

22 I can add a caveat here and there, so I  
23 think conceptually, I think it sounds all right with me,  
24 yeah.

25 FACILITATOR KERN: So other comments

1 before I leave this -- are there any objections to  
2 giving this a try? Any strong objections that people  
3 feel like we're going to miss something? John.

4 MR. BUDROE: I don't have any objections,  
5 but I'd like to hear what Jim's experience has been with  
6 Hunters Point.

7 FACILITATOR KERN: Let me then negotiate  
8 with my own agenda and allow Jim, please to comment on  
9 your -- so I'm keeping track of where I am.

10 MR. PONTON: Essentially the committee --  
11 the community, the RAB community has four sitting  
12 committees. One of them is the economic improvement  
13 committee, a technical committee, a radiological  
14 committee and a membership and bylaws committee, and  
15 each committee meets each month.

16 They determine the date and time at the  
17 RAB meeting for the next meeting and they come to the  
18 subsequent RAB meeting with typed up notes from meeting  
19 minutes from that meeting that they share with the RAB.

20 Those notes are entered into the record,  
21 so there's a record of the meeting, and those meetings  
22 steer some of the discussion that's based on the agenda  
23 for that evening.

24 The agenda starts at 6:00. It ends at  
25 eight o'clock. There's a break for the court reporter

1 after an hour. It's held pretty firmly to a schedule.  
2 People are allowed to ask questions, but generally their  
3 follow-up questions are limited to possibly just one or  
4 two, and normally those RAB meetings are proceeded which  
5 a technical committee that the Navy has with the  
6 regulators that the RAB is invited to attend a day or  
7 two before.

8 So that way generally the public and the  
9 regulators know what's going to happen at the RAB.  
10 That's essentially it.

11 FACILITATOR KERN: Okay.

12 MS. YAROS: Do they have the committee  
13 meeting as well as the RAB committing?

14 MR. PONTON: Yes, ma'am. There's four  
15 different committee meetings and then the RAB meeting.  
16 Not everybody goes to those meetings. The regulators  
17 only go to the meeting that they're invited to.

18 MS. YAROS: They go to the RAB committee  
19 meeting, they go to the subcommittee meeting and --

20 MR. PONTON: There's no regularly  
21 scheduled meeting. There are people that attend.  
22 There's one woman that attends the monthly meeting with  
23 the Navy and they are also part of the membership and  
24 bylaws committee, and they don't normally -- they may  
25 meet or maybe they postpone their meeting, but they

1 enter that into the record as to what they've done, and  
2 they share that way, and it seems to work for them,  
3 although I think sometimes they'd like to talk more.

4 MS. BLUM: In your -- your professional  
5 opinion, is that an effective way to do the work the RAB  
6 is charged with doing?

7 MR. PONTON: I -- I think in that  
8 environment, it is because it's easy to get sidetracked  
9 on other issues that are maybe not necessarily  
10 environmental issues.

11 So if there's the tendency of a RAB to get  
12 offtrack, away from the environmental issues at hand,  
13 and sometimes I think it's good to have a firm schedule  
14 so that people stick with the main points and focus.

15 FACILITATOR KERN: So I'm -- I'm  
16 proposing that we begin to attempt to implement this  
17 method or procedure. If there's anyone that feels  
18 strongly, I would surely like to hear about it, feel  
19 strongly to not do this.

20 MS. PASSERO: Do you want us to say that  
21 we support it?

22 FACILITATOR KERN: Sure. If there's  
23 anybody that supports it. I think I'm getting the  
24 general impression that our usual process is working.

25 I mean, it's kind of generated from you,

1 happened in committee meeting, we're bringing it out  
2 here, discussing it. It feels like it's okay to  
3 proceed.

4 MS. YAROS: Well, I agree that it's okay  
5 to proceed, and perhaps with the caveat that we evaluate  
6 our new plan in two months or three months or six months  
7 or whatever so it's not as though we're taking just a  
8 gigantic terrifying stop here.

9 This is a format for a meeting. Let's try  
10 it, for heaven's sakes. If it doesn't work, okay.

11 I would also like to add that people speak  
12 up. I think there are a couple of guys in this room who  
13 kind of mumble. This is my old English teacher  
14 mentality. Speak up or get a microphone. I think -- I  
15 don't know whether it's the length of the meeting or  
16 whatever, but please, fellows, the women don't have a  
17 problem. It's -- but some of the men have these nice  
18 soft fuzzy voices that are not conducive, in my opinion,  
19 to a business kind of meeting.

20 So we did have microphones at one time. I  
21 don't know what happened to them, but maybe we could  
22 incorporate that into our new, you know, method of doing  
23 business here.

24 FACILITATOR KERN: Or maybe we could just  
25 give them to a couple of people that you designate.



1 MS. YAROS: I will pass them out and  
2 decide who needs them.

3 FACILITATOR KERN: I hesitate to call on  
4 Dave, but you had something to say.

5 MR. SUTTER: Not really.

6 MS. YAROS: Okay.

7 MR. SUTTER: My suggestion would be I  
8 think along the lines that Gloria has mentioned. There  
9 should be a menu of sites of projects that are, you  
10 know, about to -- to happen or -- or, you know, Craig  
11 mentioned that are in planning where -- where they're  
12 beginning to be scoped and beginning to come together  
13 that should be presented to the group so that people can  
14 kind of pick and choose what they'd like to work on.

15 That would seem to me to be the next  
16 logical step to move this new concept forward, and maybe  
17 that might be developed for the next committee meeting  
18 in two weeks so that --

19 FACILITATOR KERN: Okay.

20 MR. SUTTER: So that people could  
21 actually begin to sign up, so to speak.

22 I actually would also like to say that I  
23 agree with Jack, that I really think that regardless of  
24 what we do, it's really up to you, to set the tempo at  
25 the meeting and the length and the -- how quickly we get

1 these done. I really do, and sometimes you can't be as  
2 polite as you've been and say that's enough.

3 FACILITATOR KERN: Okay, Gloria. That's  
4 enough.

5 MS. YAROS: Good.

6 FACILITATOR KERN: Thank you very much.

7 I'm only five minutes off my agenda which  
8 I negotiated with Jim. I thank you for including your  
9 comments.

10 I'm moving on, then to update on the FOIA  
11 discussion, and there's actually something to report.

12 I have struggled with composing a letter.  
13 I've called multiple times this number back in  
14 Washington. The person's name is Darryl Strahorn. I've  
15 been working with her for months trying to get something  
16 out of her.

17 I finally got a hold of her today on the  
18 phone. She actually answered her phone, and I said, "Do  
19 you know who I am and do you know about this particular  
20 FOIA? I hope you've got a sense of these things." She  
21 said, "Oh, yes, Mr. Kern. I know who you are."

22 MS. TRIGIANI: Mr. Kern.

23 FACILITATOR KERN: "I know your project  
24 because I'm working on it myself," and then she went on  
25 to say that she had originally given it to a contractor

1 some months ago and they worked on it for a while and  
2 then they left and then she had given it to another  
3 person who'd been on detail at the Department of  
4 Interior and they worked on it for a while, but didn't  
5 complete it.

6 The update status of this very day is that  
7 she has made recommendations to the local attorney there  
8 for DOI and that person is traveling, will be back  
9 soon -- Monday, I think I heard, and so she expects next  
10 week to have an answer for us about the disposition of  
11 our appeal.

12 I tried as hard as I could "can you give  
13 me some sense of where you're leaning?" and she would  
14 not budge. She would not give me any sense of it  
15 because she's not, I guess -- she doesn't have her legal  
16 counsel's opinion.

17 So that's where that situation is. I  
18 asked her "would it make any difference to you if you  
19 had a letter inquiring about this? Will that speed up  
20 the process?"

21 She said, "No, it won't make any  
22 difference at all. It's already at the top of my list  
23 with three other things, so thank you for being so  
24 patient." She thanked me profusely and said it will be  
25 forthcoming shortly. So we should have something.

1                   And now we have a break for about ten  
2 minutes and we will resume.

3                   (Recess taken).

4                   FACILITATOR KERN:   Continuing on in our  
5 new format, I'm moving on to working group business, and  
6 the first group that we're working with that we'll work  
7 on for tonight is the cost tracking or the  
8 administration working group, as we called it.

9                   That has amounted for the time being to --  
10 come on brain. Just two of us, and we've been working  
11 with the trust for several meetings and we've reached a  
12 point where we needed to kind of come to you with our  
13 results and talk about it.

14                   We talked a little bit about it in our  
15 committee meeting last week and it seemed reasonable to  
16 bring it forward to this meeting.

17                   So I'll give a little bit of background,  
18 some of the recent meetings that we've had, our view of  
19 the status of the project as of today and kind of the  
20 groundrules that we're working on, a little bit of  
21 discussion and then perhaps there was actually quite a  
22 reaction to our discussion at the committee meeting and  
23 you'll probably hear some of that.

24                   So I will try to keep a tight ship here to  
25 move this ahead.

1           The background for this particular subject  
2 is for the first, let's say, four or five years of the  
3 project with the Army, we never got any kind of  
4 financial report at all.

5           The only thing we really got was  
6 everything that we wanted to do would cost way too much  
7 and everything that they wanted to do would cost very  
8 little, and it was all rigged and it was a very  
9 actionable to have to deal with that.

10           The Presidio Trust came on and the first  
11 few years, they were acquiring some of the funds. They  
12 came in periodically. I think something like twenty, 25  
13 million at a crack.

14           MR. ULLENSVANG:    Mm-hmm.

15           FACILITATOR KERN:   Something like that,  
16 the funds were coming in till it added up to 99 million  
17 with some negotiation, so they didn't get exactly a  
18 hundred million, and so since the time of Craig, we  
19 didn't have much -- much luck in getting any kind of  
20 financial reporting, although we did work with the  
21 previous project manager in developing this.

22           The one meeting that I can report on  
23 during Craig's predecessor's time that we had a  
24 financial report didn't come from the project manager.  
25 It came from Tom Kingston, and he put a -- this is a

1 person that was above Sharon Rykoff in the chain, and I  
2 really distinctly remember that we had behind the scenes  
3 working groups really saying we'd like to see what's  
4 going on with the program. Can you show us some  
5 numbers, and there was an overhead projector -- he  
6 didn't do a Power Point, because that would have been  
7 stuck on the computer and we could have said. "Go  
8 back."

9 He put the overhead on the screen and it  
10 was up there for like two minutes and there were all  
11 these numbers. We're all madly just trying to -- and he  
12 ripped it off the thing and that was it. That was our  
13 financial report.

14 So that was really very unpleasant, as  
15 well, because he kept saying, "We really can't talk  
16 about this. We really" -- so that's sort of the  
17 background.

18 Craig's been with us and we've had a lot  
19 of good interaction around this.

20 A couple years ago, we've tried to make  
21 our feelings known very directly about the kinds of  
22 reporting that we needed.

23 Well, why do we need the reporting? I  
24 mean, it would be nice to know how the money's being  
25 spent, but in some great detail, how is the money being

1 spent? Has it been wasted in different areas? Is it  
2 going off -- you know, there's lots of questions that  
3 one could ask, and if you don't have a report, you just  
4 begin to wonder what's happening.

5 And it -- it was even possible that in our  
6 estimation that such a report would be very useful for  
7 the trust's own purposes.

8 That was certainly in our consideration,  
9 again with making sure that with our goals being -- we  
10 get the maximum full cleanup of all the Presidio and  
11 effective use of the funds, we wanted to have some kind  
12 of tracking of that, how the things were being spent.

13 So it's roughly a couple of years ago now  
14 that we had these discussions around what would such a  
15 report look like. We wrote an extensive letter that we  
16 deliberated for several months about. We had a lot of  
17 input on that letter.

18 Craig was usually at the meetings, pretty  
19 well understood what we wanted, got the letter,  
20 responded to our letter, went to hire a person, engaged  
21 us in writing a job description.

22 That much most of you know, and then a  
23 person was hired, and I think Alan Anchuta was hired  
24 roughly eight months ago, something like that.

25 MR. SUTTER: A year ago.

1 FACILITATOR KERN: Somewhere around  
2 there.

3 So Alan had sometime before he -- you  
4 know, he needed to get adjusted, he needed to understand  
5 what the problems were, but eventually we started to  
6 ask, you know, okay.

7 So we want to engage and we want to see  
8 what kind of reporting there will be, and so David --  
9 David and I have met with the working group that's  
10 involved, David, myself, Craig, Alan and Brian and we  
11 met a few times.

12 So now I get to report a little bit on  
13 that and Craig hasn't really -- he doesn't know what's  
14 coming. He may have some sense from our own working  
15 group meetings, but nobody's really prepared for this  
16 except perhaps Dave and the group that I met with at our  
17 committee meetings also heard a little bit about this.

18 And that was in executive session where  
19 Craig wasn't there.

20 So we have received a number of variations  
21 on the theme of these -- these reports, and my goal here  
22 is to be fair, and yet at the same time bring  
23 information to you about the status from my perspective.

24 Here we are two years down the road and we  
25 don't have a full report yet. We have sort of trial



1 balloons, we have attempts at meeting what our  
2 requirements are for specific sites. We don't have a  
3 full report, and what I'm here to tell you tonight from  
4 my perspective is that I ran out of patience. I ran out  
5 of patience for this project.

6 We are at a point where everything rides  
7 on the money. The decisions that we're making all come  
8 back to the money, and we don't know a thing about the  
9 money, really. We haven't had a report about all the  
10 sites.

11 We have large, you know, general one-page  
12 overviews, but it's really not enough detail, and it's  
13 not the kind of detail that we've been asking for for a  
14 couple of years.

15 So what I'd like to say tonight is that I  
16 think this is a serious issue that I bring to your  
17 attention, something that we've engaged in a very fair  
18 way with the trust and they've engaged us -- I don't  
19 know from Craig's perspective the difficulties working  
20 with Alan or, you know, the horrible system.

21 There are a variety of challenges that the  
22 group faces in trying to generate this report, and yet  
23 on the other hand, from where I sit, anyway, the  
24 thing -- all these challenges do need to be overcome.

25 A report needs to be generated with

1 sufficient detail that we can begin to comment on the  
2 actual financial details rather than just the format of  
3 the report and making sure that the numbers are right  
4 and all sorts of things that Dave and I could give you a  
5 lot of detail about that there's a loss of patience on  
6 my part and a tremendous frustration, a frustration  
7 where, you know, I have this kind of coast along and  
8 then I just fall off the cliff and say -- throw up my  
9 hands and when are we going to get this? How difficult  
10 could this possibly be?

11 I'm venting a little bit, but I also am  
12 trying to give you the message that this is of critical  
13 importance, as we all know, because when we're trying to  
14 make decisions upon really expensive sites, part of what  
15 we are met with is we won't have enough money to choose  
16 that remedy or this is too expensive or -- and we  
17 can't -- we don't have any information to judge that.  
18 We don't have the ability to make our own considered  
19 judgment.

20 I know that last year the trust has made  
21 their own estimates for every site. We've heard about  
22 them in our committee meetings, and a lot of these  
23 results that they're not available to us. There -- the  
24 detailed financial information is just not yet available  
25 to us.

1           Now I know Craig is working on it. He's  
2 working with Alan. At a certain point, I've got to take  
3 a snapshot with -- with Dave and just tell you where it  
4 is. Of course Craig can respond, can tell you where he  
5 thinks it is.

6           So that's my allotted time that I've given  
7 myself to give you an overview. I've really given you  
8 no details because that's what the working group is for,  
9 but I'm willing and Dave is certainly willing to kind of  
10 answer any level of detail about, you know, I'm the  
11 messenger, I bring you a message, if you have questions,  
12 we can talk about it, and I want to -- I want to give  
13 Craig a chance to respond if he wants to.

14           I didn't really prepare him for this. He  
15 may feel a little bit sandbagged. You know, I apologize  
16 for that.

17           I just sort of also wanted to make it  
18 clear that I -- we've been trying. We've been really  
19 trying to make this work, and in my report to the  
20 committee, the RAB -- RAB members talked about it and  
21 one of them generated a whole resolution on their own  
22 based on the information that I had provided, and so I  
23 have that here tonight and we can talk about it.

24           I don't anticipate voting on it, but it  
25 certainly describes at least from her point of view -- I

1 mean, and it's unedited -- how she feels about it.

2 Is there any discussion at the moment?

3 Dave, yes.

4 MR. SUTTER: Yeah. Let me just say that  
5 I -- I want to echo my own frustration. Doug mentioned  
6 that he just reached a point of frustration on this  
7 issue, and I have, as well.

8 Let me just give you some background from  
9 my perspective. I've been on the RAB, I think, for  
10 about four years now. About the -- after about the  
11 first year, it became apparent to me that at that time  
12 the trust, while it had assembled a lot of expertise  
13 when it came to the technical aspects of the  
14 environmental cleanup, they were a bit behind the power  
15 curve when it came to cost reporting, cost management  
16 and scheduling and scheduling management.

17 So at that point, I made certain  
18 suggestions from my experience in project work and in  
19 construction as to methods and systems that they might  
20 take a look at, that they might adapt to the program  
21 here, and as -- as Doug has mentioned, there was a lot  
22 of discussion both at the RAB level and with the trust  
23 over the next year or so as to the -- the way to do  
24 this, and in -- in I think it was June of 2003, the RAB  
25 put together a specification, so to speak, and a

1 recommendation, rather detailed recommendation as to a  
2 methodology that we are recommending to -- to the trust  
3 that they use specifically for the cost tracking and  
4 cost reporting.

5 The trust accepted that -- our  
6 recommendation in the fall of 2003 and initially  
7 attempted to put this system into place, but found they  
8 did not have at that point the in-house staff, the  
9 expertise in cost reporting and financial analysis to do  
10 it, and so as Doug mentioned, together with the RAB, the  
11 trust put together a job description in order to hire  
12 the necessary expertise and -- and eventually hired Alan  
13 Anchuta, who has a lot of experience in cost tracking  
14 and construction projects, and Alan, I believe, came on  
15 board about May of last year.

16 And initially Alan indicated that -- that  
17 the kind of format that had been recommended, that was  
18 the format being considered, that he had experience with  
19 this kind of cost tracking and recording and that it  
20 looked -- it looked very straightforward, and once he  
21 translated trust accounting into the kind of data  
22 retrieval and data crunching that he needed from a  
23 project perspective, that he'd be able to generate and  
24 turn out the individual project cost reports based upon  
25 the agreed upon format.

1           That hasn't been happening. I mean, what  
2 we've been seeing since Alan came on board when we began  
3 asking for sample reports to see that it was being done  
4 in the -- in the way that had been agreed is we began  
5 getting samples on projects, but the information was not  
6 complete, the detail was not there, the separation of  
7 costs had not been done, and even as of the last couple  
8 of meetings that Doug and I had with -- with Craig and  
9 Alan and Brian, the -- the format, the reports were not  
10 being done in a way that provided the detail as  
11 originally stipulated and originally laid out, and as a  
12 result they're virtually meaningless.

13           So at that point I just felt well, it  
14 doesn't look like these meetings are having any -- any  
15 positive result because we just seem to go round and  
16 round and round and what we get is essentially  
17 meaningless data distributed somewhat on the spreadsheet  
18 format that we'd all agreed upon, but incoherently.

19           The information not properly -- properly  
20 entered, not properly calculated, not properly compared,  
21 and so as I mentioned to begin with, I -- at that point,  
22 I just felt totally frustrated and didn't feel like  
23 there was much -- there was much purpose in -- in  
24 continuing with these working group meetings with Craig  
25 and Alan because we just seem to be going around and

1 around and around and never getting to home base on  
2 this -- in this essential aspect of the program.

3 So I just wanted to give my kind of  
4 perspective and -- and experience to date.

5 FACILITATOR KERN: Thank you, Dave.  
6 Jack.

7 MR. LUIKART: What do you recommend?

8 FACILITATOR KERN: Well, I recommend that  
9 we look at this resolution which has some  
10 recommendations in it and discuss that.

11 I think it will say in here what we ought  
12 to do.

13 MS. MONAGHAN: While we're passing it  
14 out, can I make a couple comments?

15 FACILITATOR KERN: Please.

16 MS. MONAGHAN: I wrote the resolution  
17 based on the discussion we had at the committee meeting  
18 next week, but my concern about the finances went back  
19 six or seven years when we redid the bylaws where we  
20 asked to have financial input in the bylaws, and then as  
21 the head of the membership committee four years ago when  
22 we did that class of new members, when we had about six  
23 new members, Dave being one, we focused on getting  
24 people on the RAB that had financial backgrounds and  
25 business backgrounds, trying to balance the business

1 aspect with the technical aspects.

2 And so we've been kind of working towards  
3 this a long time, and I'm equally frustrated and I'm  
4 really concerned about the ability of the program to  
5 complete itself within the budget.

6 I just have no sense that we can actually  
7 do this program and finish the cleanup in the Presidio  
8 with the money that we have allocated.

9 FACILITATOR KERN: As far as what to do,  
10 a couple of things come to mind. One, we could ask --  
11 we could -- Dave and I and others, we could generate a  
12 list in electronic format and request all of the data be  
13 given to us in a certain way that we could then put into  
14 our own reporting structure that would effectively  
15 duplicate what we're asking the trust to do -- that's  
16 one course of action -- and demonstrate through our own  
17 hard labor what it would be that we're looking for  
18 because we take the responsibility on ourselves.

19 We may not have communicated over the last  
20 few years what we really need.

21 I think that's a little bit of overkill,  
22 but it is something I would consider doing is asking for  
23 the electronic data.

24 Another thing that we can do is write a  
25 resolution and begin to talk about this in strong ways



1 to people that need to know about it and report as an  
2 advisory group that this has gone on long enough and  
3 that other things, other actions need to be taken.

4 It just cannot continue to go at this  
5 pace, that no report is generated.

6 So perhaps I should give everyone, if you  
7 haven't had a moment to actually read this for a few  
8 moments.

9 MR. LUIKART: Has it been eight months or  
10 twelve months? Dave says twelve.

11 MS. MONAGHAN: I went back through my  
12 notes, and my notes have been down that it's eight  
13 months.

14 MR. SUTTER: My memory is that he came on  
15 board about May of 2004. Craig would know for sure.  
16 That's just my memory. But I have a memo in the file  
17 from Craig to the RAB saying -- saying, "I'm now  
18 bringing on board this expert, Alan Anchuta" and it was  
19 dated May of 2004, so I assume that's when he came on  
20 board.

21 FACILITATOR KERN: So I -- it looks like  
22 we'll have to double-check that.

23 MS. MONAGHAN: Yeah.

24 FACILITATOR KERN: Craig, do you have a  
25 sense of when Alan came on?

1 MR. COOPER: May sounds about right.

2 FACILITATOR KERN: Do you have further  
3 comment?

4 MR. LUIKART: I was going to ask Craig if  
5 he has a comment on this discussion.

6 FACILITATOR KERN: Oh, okay.

7 MR. COOPER: Yes. I do. I haven't had a  
8 chance to read this yet.

9 Well, I guess my -- you know, I could talk  
10 about a little bit of what I inherited as far as  
11 financial cost tracking and talk about what we have  
12 accomplished over the last year since Alan has arrived  
13 because I think an incredible amount of accomplishment  
14 has been made, and at the last working group meeting,  
15 all that was really discussed was the definition of one  
16 particular, you know, column, which I sent an e-mail out  
17 shortly after that working group meeting that fine, I  
18 agree and that -- that column had been added now to our  
19 cost tracking form.

20 So, you know, basically I inherited very  
21 little as far as a structure. I inherited a system that  
22 we had our 1998 program cost estimate and you inherited  
23 a system where all my predecessor really did is count up  
24 invoices and report that to Zurich, the insurance  
25 company.

1           In the tracking the charge numbers that  
2 she had was not even -- she didn't even have one charge  
3 number per project. It was kind of scattered around.

4           She kind of grouped some sites together,  
5 so we had to completely redo our -- our cost tracking  
6 from the ground up, set up a charge number for every  
7 single remediation project, establish a budget for that,  
8 which had never been done before ever since 1998, and as  
9 you know in 1998, our vision of what the sites were are  
10 completely different as they are now. I think a lot of  
11 new sites have come aboard.

12           We have I think now eighty to a hundred  
13 individual charge numbers that we track. So eighty to a  
14 hundred, you know, projects where we have now a budget  
15 that we -- which is our estimate at completion budget,  
16 and we are now tracking invoices approved realtime, so  
17 we know how much money has been spent at each project,  
18 subtracted against -- you know, we can -- you know, and  
19 we can now track that realtime as an invoice comes in,  
20 that -- and the project manager approves it. That gets  
21 entered.

22           So I think that we now have a cost  
23 tracking summary report based on a template that I've  
24 handed out to Dave last November with now a new  
25 understanding of what committed and recorded costs mean

1 and we've adjusted that for every single site, and that  
2 is incredible progress.

3 I -- at the last working group meeting, I  
4 handed out examples of our cost tracking summary report  
5 for four sites, I believe, and that's what my agenda  
6 said to do was to hand out the cost tracking summary  
7 report for four sites, and so that's what I did, and I  
8 feel like I've come through on every agenda item that  
9 was put before me in the admin working group, and I --  
10 I'm not too sure where that failure occurred.

11 MR. LUIKART: Could I follow up with one  
12 question?

13 FACILITATOR KERN: Sure.

14 MR. LUIKART: It's only that -- is there  
15 a difference between what Doug and Dave have requested  
16 and what you feel they have requested? Is there a  
17 difference in opinion between what you think your  
18 request is and what Craig thinks your request is?

19 FACILITATOR KERN: I don't think so.

20 MR. LUIKART: You all agree -- excuse me.  
21 If you all agree with what the request is, then is there  
22 in your mind a time frame going forward by which you  
23 will have completed and have available to us the  
24 fulfillment of that request?

25 Because a year ago I thought it was going

1 to be within the year and then I guess that's where the  
2 frustration level is.

3 Do you think it's going to take six more  
4 months?

5 MR. COOPER: Just so I understand what  
6 the request is, I've now handed out four project cost  
7 summary reports. I assume you want all eight..

8 Is that the request?

9 FACILITATOR KERN: That's not exactly --

10 MR. COOPER: Remember last year I did a  
11 program wide redo of the cost estimate, which I  
12 presented to everybody, which is something that hasn't  
13 been done since 1998, and I plan on doing that again  
14 this year, which is everything rolled up by CERCLA  
15 program, what our budget is, how much we've spent, how  
16 much is our estimates.

17 That's a little one-pager that we can  
18 redo, but, you know, I've handed out the four -- at the  
19 project level, you want to drill down deeper.

20 I've handed out the four, you know, cost  
21 summary reports and, you know, through the admin working  
22 group meeting, I planned on handing out more and more  
23 and more until you get all eighty or a hundred of them  
24 and you'll see --

25 FACILITATOR KERN: I'm really pleased to

1 respond to -- to that, and what I would say is while,  
2 yes, there's progress, we don't have a report and the  
3 result of our last meeting, as Dave expressed, was one  
4 where we spent perhaps an hour on one point, both you  
5 and Alan resisting and arguing about the validity of  
6 what we were requesting, and that was a difficult --  
7 that was leading to a very high level of frustration,  
8 and what it told us is that we didn't have confidence  
9 that it was going to be delivered in what we thought  
10 should be presented.

11 That's what our perception was of that  
12 meeting, and yes, you responded by saying well, okay.  
13 I'll do this, but that's been the tenor of the meetings,  
14 is that our feeling about it is that there was always --  
15 there's always something not quite adding up, and that's  
16 why I'm -- that's why I'm making something out of this  
17 is that I've got to air this out in front of this  
18 group --

19 MR. COOPER: Mm-hmm.

20 FACILITATOR KERN: -- because that's what  
21 our role is to do, and it was not -- it has gone on far  
22 enough within the working group, and so that's my  
23 feeling is that there -- there certainly you've  
24 reported, we've talked a lot about all the details about  
25 all the progress and, you know, we want to give you all

1     that credit. There was certainly nothing before you  
2     came.

3                   MR. COOPER:     Yeah.

4                   FACILITATOR KERN:     What we're looking for  
5     now is that report with the sites and all the numbers  
6     and -- and the feeling that you actually know at a  
7     fundamental level what it is that we're asking for and  
8     agree with that, and as it appeared that you had over  
9     the time, and it seemed like the tenor of our last  
10    meeting was such -- and it has been at other meetings --  
11    that you didn't agree with us and you didn't understand  
12    what it was we were asking you.

13                   You didn't really even understand why we  
14    were asking for it, why we needed it and that you --  
15    yes, you were agreeing to it, but it felt like you were  
16    agreeing to it -- and we'll satisfy Doug and Dave rather  
17    than knowing that's what you actually -- you need to  
18    know that stuff.

19                   MR. COOPER:     Mm-hmm.

20                   FACILITATOR KERN:     That's kind of where  
21    we're coming from. That was at the beginning of this  
22    presentation, that not only was this something for us to  
23    use, but it could be critical for your own use, as I'm  
24    sure you've found much of what you've done has been  
25    useful to your own work.

1 MR. COOPER: Mm-hmm.

2 FACILITATOR KERN: So that's how I would  
3 respond to how -- you know, your sense of maybe there's  
4 a disconnect.

5 Well, we -- we definitely have been trying  
6 to communicate with you in those meetings, and both Dave  
7 and I have felt that there was -- the tenor of -- from  
8 both you and Alan you don't really need that.

9 MR. COOPER: Um.

10 FACILITATOR KERN: And we absolutely felt  
11 like it was essential, and so there was like wow,  
12 there's something missing.

13 MR. COOPER: Yeah. I don't remember that  
14 tenor at the first meeting.

15 Do you remember the first meeting being  
16 negative or --

17 FACILITATOR KERN: Well, I do remember  
18 there --

19 MR. COOPER: We've only had two.

20 FACILITATOR KERN: The discussion is  
21 always in oh, so that's what you wanted kind of like  
22 we've been working on this a long time and it seemed  
23 like the person that was hired would know what to do,  
24 and that there have been disconnects that have made us  
25 feel like we're wondering about it.



1 MR. COOPER: Okay. I'm only aware of the  
2 disconnect that happened at the last meeting, the  
3 definition --

4 MR. O'HARA: It raises the question.  
5 Have you got the right guy?

6 MR. COOPER: Oh, man, if you want to -- I  
7 think so. Absolutely. What we've accomplished so far  
8 is incredible.

9 MR. SUTTER: I think -- I think Alan  
10 is -- definitely has the necessary expertise and  
11 experience and background. I don't know and I don't  
12 feel confident that he truly has a committed direction  
13 from the mediation management to use this tool the way  
14 it was devised and the way it was developed in  
15 consultation with --

16 MR. COOPER: Mm-hmm.

17 MR. SUTTER: -- the trust.

18 I think he's doing his analysis using  
19 different methodologies than this one, and all that's  
20 happening with this methodology is it's being -- it's  
21 being used to try to make us happy.

22 It's not being used as the internal tool  
23 that -- as it was intended for the trust to use, to  
24 manage its own projects efficiently and cost  
25 effectively. This is a tool.

1 MR. COOPER: Right.

2 MR. SUTTER: It provides a very useful  
3 format for cost reporting, for management, for the trust  
4 board of directors, but essentially it's a tool for the  
5 management, the cost management of projects as they  
6 progress, through planning, through design, through  
7 construction, through closeouts, it's a very useful tool  
8 to control the expenditures on a project and to see  
9 where you have potential problems; that is, you're  
10 moving along in a project.

11 It identifies cost trends. It identifies  
12 potential overruns, but quite frankly, and I'll say this  
13 again. I just don't feel that there is the commitment  
14 on the part of the mediation management to use this tool  
15 the way it was developed and presented and recommended.

16 MR. COOPER: Um.

17 FACILITATOR KERN: George.

18 MR. SUTTER: That's the source of my  
19 frustration.

20 MR. DIES: I've learned something new  
21 tonight, that invoices were regularly submitted to the  
22 insurance company.

23 Has there ever been report from the  
24 insurance company back listing the invoices, giving  
25 totals per project?

1 MR. COOPER: Yeah. I've talked about  
2 this when we did the -- the discussion about the  
3 insurance policy that I quarterly report -- on a  
4 quarterly basis, I report invoices to the insurance  
5 company and then they report back.

6 You know, there's this allowable and  
7 unallowable expenditure thing under the cost overrun  
8 insurance policy. Remember that.

9 They write me back. For every report I  
10 send out, they write me back a letter saying that these  
11 are allowable expenditures and these we are questioning.  
12 It's unallowable.

13 MR. DIES: Is that segregated by project?

14 MR. COOPER: Yes.

15 MR. DIES: Can we get copies?

16 MR. COOPER: I think so, yeah. It's --  
17 again, in the old days under Sharon --

18 MR. DIES: Would it not be useful to  
19 compare what at least Zurich has said the total of  
20 allowable and unallowable was to the trust so that the  
21 original estimate -- in my mind, that's a start.

22 FACILITATOR KERN: Right.

23 MR. COOPER: Mm-hmm.

24 MR. DIES: So if we could get those and  
25 compare to the original estimates.

1 FACILITATOR KERN: Mary.

2 MS. TRIGIANI: A question for Dave and  
3 Doug. We're advo -- we're suggesting a certain form of  
4 project management reporting.

5 Is that, as far as you can tell, in  
6 conflict with how the trust manages its internal  
7 controls to meet any duties of transparency and  
8 governance, and do those not exist in the public sector  
9 the way they now do for the private sector? Do you see  
10 what I'm asking?

11 MR. SUTTER: I can't comment upon how the  
12 trust -- the trust meets their internal, you know,  
13 reporting requirements. I just --

14 MS. TRIGIANI: What I'm asking, do  
15 they -- does the trust have some mechanism in place that  
16 would satisfy our needs for information? And I am in  
17 total support of -- 150 percent support of this  
18 resolution, but what I'm trying to get at is why we are  
19 not getting our questions answered? And are we -- are  
20 we asking them to answer our questions or are we asking  
21 them to manage their projects in a certain way or both?

22 MR. SUTTER: Both.

23 MS. TRIGIANI: Okay.

24 MR. SUTTER: This is a cost tracking and  
25 cost reporting system and methodology, which was agreed

1 upon by everybody involved --

2 MS. TRIGIANI: Okay, and as far as you  
3 know --

4 MR. SUTTER: -- in 2003.

5 MS. TRIGIANI: -- it's not in conflict  
6 with a set of practices that the trust has for managing  
7 its business?

8 MR. SUTTER: Is not as far as I know.

9 FACILITATOR KERN: Jack.

10 MR. LUIKART: Two real quick questions.  
11 Are you now cost tracking every invoice?

12 MR. COOPER: Yes.

13 MR. LUIKART: Okay. Then all you're  
14 doing now is proceeding back in time to 1998 to  
15 determine which invoices go into which box?

16 MR. COOPER: Been done.

17 MR. LUIKART: And that's taking a lot of  
18 time. You've done it all?

19 MR. COOPER: Yes.

20 MR. LUIKART: So you've done it. I was  
21 going to say --

22 MR. COOPER: That -- right. I mean,  
23 that -- I'll double-check this with Alan that we were  
24 tracking obligations on our cost tracking form and now  
25 we're tracking invoices approved and that --

1 MR. LUIKART: You haven't gone back in  
2 time totally and tracked each --

3 MR. COOPER: The invoices?

4 MR. LUIKART: -- historic invoice to its  
5 proper category. That's the issue we're dealing with to  
6 develop the --

7 MR. COOPER: To sort those invoices out  
8 by --

9 MR. LUIKART: By --

10 MR. COOPER: -- project.

11 MR. LUIKART: Is that what's holding up  
12 the final report?

13 MR. COOPER: I -- I think that we made  
14 even a lot of progress on that now. So we have -- for  
15 each project now, you know, Dave's seen the template.  
16 We have an understanding of what reported and committee  
17 costs means and we're tracking obligations and invoices  
18 approved for every single project in realtime as  
19 invoices come in.

20 So one thing I want to do because I'm --  
21 so to kind of answer your question, Mary, is that the  
22 trust does have a manual on how to do procurement --

23 MS. TRIGIANI: Right.

24 MR. COOPER: -- and what the flow chart  
25 is on that.

1                   What I want to do is write our own  
2 procedures just so there's no transparency in the  
3 process so that you guys get an understanding of how we  
4 scope --

5                   MS. TRIGIANI:   Does your boss ask you  
6 questions about how much have you spent and how much is  
7 left and how far how much are you going to need? Do you  
8 get those kinds of questions?

9                   MR. COOPER:    Yes. Yes, I do.

10                  MS. TRIGIANI:   How do you answer them?

11                  MR. COOPER:    I show him -- if it's on a  
12 particular project, I print out my cost -- my project  
13 cost and tracking form and say this is what -- this is  
14 what the latest status is.

15                  And so I think we're almost -- I know you  
16 guys have lost patience and you have the right to lose  
17 patience, but I -- I won't know where -- other than I  
18 want to write down my procedures, you know, just so  
19 there's transparency on that, not only on how I am going  
20 to use my cost tracking project form as a cost  
21 management tool.

22                  I think that's what Dave's been asking for  
23 from the very beginning, and it has taken a long time to  
24 get these together -- to sort of all the old costs, get  
25 all the money into the right buckets and prepare these

1 eighty plus cost tracking summary forms for each and  
2 every project, and now it's about making them useful,  
3 and that's what -- and I'm not doing it to make you guys  
4 feel good, but you're right.

5 To make it useful for each trust project  
6 manager and for the program in general to see -- to make  
7 sure that we do our best efforts to, you know, stay  
8 under the hundred million, and I want to get those  
9 processes written down, because that's going to be the  
10 best way to train my -- all my project managers.

11 So we get into these feedback groups and  
12 we check our cost tracking summary form, you know, and  
13 there's a feedback group on how this is going to be  
14 useful for making decisions down the road.

15 FACILITATOR KERN: Jack.

16 MR. LUIKART: I'll be quick, I hope,  
17 again. We've spent how much money roughly to date of  
18 the hundred million?

19 MR. COOPER: 35 million.

20 MR. LUIKART: Okay. 35 million.

21 Do you have all 35 million in --

22 MR. COOPER: Buckets, yes.

23 MR. LUIKART: So you are all buzzed  
24 within reach of a report that you can give us that will  
25 show each bucket and the dates and times of all the



1 invoices totaling up under those eighty particular  
2 sites?

3 MR. COOPER: With the cost rolled up,  
4 yeah. It will say: "Invoices approved." We'll have a  
5 number for each project.

6 MR. LUIKART: And when do you think that  
7 will be available?

8 MR. COOPER: Do you want one for all  
9 eight? We need to have our hands on what will be an  
10 acceptable report.

11 Are you using these things in an effective  
12 way as a cost management tool? And I think I need to --  
13 I think that we're just -- you know, there were other  
14 cost control strategies that we had in place and this  
15 cost tracking summary report, it's just yet a new one  
16 that we can use for that, and I want to get the portion  
17 written down so that we all understand what -- how often  
18 do we look at these things and what do we do to make  
19 them useful. As that's the other one,

20 And the other one is to all have eighty  
21 cost tracking summary reports presented to you in a way  
22 that you feel that we have actually done them, because  
23 you're right. I've only handed out four or five of  
24 them.

25 As far as you know, the other seventy

1   aren't done, and -- but I --

2                   FACILITATOR KERN:   Here's what I would  
3   recommend is -- I'm certainly willing to suspend my  
4   disbelief which I currently am very skeptical and it  
5   takes me a long time to get from optimistic and  
6   everything is great to where I am now.   So I can try to  
7   suspend that.

8                   I recommend that the next committee  
9   meeting in two weeks be devoted to this.   You can  
10   present what you have to the larger group, because I  
11   think Dave and I are at the point where we've given you  
12   the input that we know to give and we -- we've conferred  
13   on this and we're -- we just -- now we're skeptical, and  
14   so maybe we're wrong; put it out in front of the rest of  
15   the group, and I recommend that we take an hour at the  
16   next meeting, the first hour an exchange with Craig and  
17   then the second hour will be in executive session and  
18   that this be discussed and decided, you know, is it  
19   enough in this resolution were Dave and I out to lunch.  
20   Did we have too many martinis if we were out at lunch.  
21   You know, give us some feedback.

22                  MS. BLUM:   Rather than present something  
23   like that to the entire community RAB, my thought  
24   process would be to present it to a larger group of  
25   people who have keen eyes on the bottom line and know

1 how to read these statements and find out what's missing  
2 rather than people who may or may not know what we're  
3 looking at or its relevance to that particular problem  
4 and some of that kind of thing.

5 FACILITATOR KERN: Okay.

6 MS. BLUM: I would keep it very focused.

7 FACILITATOR KERN: Dave.

8 MR. SUTTER: Yeah. I would second your  
9 idea for the committee meeting, planning committee  
10 meeting.

11 However, I would reverse the order of  
12 these items. Let's have the executive session first.  
13 Then we can have -- have a discussion with a session  
14 with Craig on the cost reporting.

15 FACILITATOR KERN: Other discussion?  
16 Pete.

17 MR. O'HARA: I'm absolutely confused. I  
18 hear the two of you saying we're not getting the  
19 information and I hear Craig saying it's done. It's  
20 there.

21 I've served with Doug on the RAB for  
22 twelve years and I have never heard his frustration  
23 level get this high. Something -- something's not  
24 right. You guys may be talking at each other, but  
25 you're not listening.

1           You might hear one thing and they're  
2   hearing something else. I've never seen a situation yet  
3   to where we're -- we're proposing a resolution to  
4   ratchet up the -- the heat here and I don't think that  
5   that is a good way to do business.

6           There is obviously something missing in  
7   the dialogue, and what I would suggest is you go back  
8   for one more shot at it and lay it out so that you each  
9   understand what the other is doing and your expectations  
10   are focused on one goal with a -- with a drop dead date.

11           MR. COOPER:    Mm-hmm.

12           MR. O'HARA:   And if that's not acceptable  
13   to either one of the groups, then we proceed with this,  
14   but my sense is that we have rational people here that  
15   are frustrated.

16           You think that you're complying with what  
17   it is that these fellows are asking for and these guys  
18   are saying it just isn't going to happen.

19           MR. COOPER:    Right.

20           MR. O'HARA:   And to me that means that  
21   you're not sitting down and getting the issue on to the  
22   table and qualified so that you both understand exactly  
23   what it is that you need to produce to achieve the  
24   desired result.

25           FACILITATOR KERN:   I can't argue with

1 that.

2 MR. SUTTER: I can. I have spoken ad  
3 nauseum explaining this cost tracking and reporting  
4 system for every two years now, and every time we meet,  
5 there are new objections, there are new mis-  
6 understandings to the elements of it.

7 I am just sick and tired of talking. It's  
8 very simple. It's very straightforward. It's rocket --  
9 it's not rocket science. Just do it. It's simple. You  
10 got all the -- the capability now. You got the  
11 financial analyst, the expert. You've got the data  
12 developed.

13 Just do it, prepare the reports in  
14 accordance with the agreed upon format. I don't -- I am  
15 just not prepared to continue in these meetings where  
16 things that we thought were understood and clearly  
17 agreed to the previous meeting, that something new is  
18 questioned, something new is misunderstood.

19 This is getting to be a circle jerk, and I  
20 am just not prepared to participate in this kind of  
21 circle jerk any longer.

22 Just do the reports the way you've agreed  
23 to do them or not. I am not going to waiver --

24 MR. O'HARA: There's a lever here.

25 MR. SUTTER: And if you're concerned

1 about this, Peter, why don't you sit in on one of these  
2 meetings?

3 MR. O'HARA: I don't have a problem with  
4 that.

5 MR. SUTTER: If you're really concerned  
6 that there's communication problems, why don't you sit  
7 in on these meetings and maybe you could -- maybe you  
8 can solve the problems rather than orate about them.

9 MR. O'HARA: I don't have a problem with  
10 that.

11 FACILITATOR KERN: Well, in the -- in the  
12 analysis here, I think it was appropriate and important  
13 to raise this to the group.

14 I think Dave is reflecting very  
15 appropriately the level of frustration and I think,  
16 Peter, you're recognizing that there's a serious  
17 disconnect, and I would not have done this if I thought  
18 another meeting was going to help.

19 I -- I appreciate your suggestion and I'm  
20 always willing to meet, and I do share Dave's feelings  
21 about it, that there's a sense I have that, as he said,  
22 that this -- this whole project is just being done  
23 almost -- we're given this report that it's being done  
24 to kind of meet us and almost keep us happy and it's not  
25 being used, and I'm willing to be proven wrong on that.

1 I am willing to be shown otherwise, but I needed some  
2 other people to participate in this.

3 MS. PASSERO: Can you go back to the  
4 earlier recommendation, then, for the next committee  
5 meeting, just reiterate that? It would be an hour to  
6 talk about this issue and an hour to say --

7 FACILITATOR KERN: I think if it's done,  
8 if the reports are done, if there -- if they can pass  
9 scrutiny, then they're done and it should be no problem  
10 to bring them to such a meeting and lay them out and  
11 everybody should be able to go through them and get it  
12 and they should be a short meeting. It should be even  
13 know discussion.

14 It will be done, so -- yes, Mary.

15 MS. TRIGIANI: Doug, I know we're over  
16 time, but my mind leaps from this particular problem to  
17 essentially the process of the RAB working with the  
18 trust, and, you know, Craig, the thing I want to express  
19 is that if there is some sort of an obstacle and the --  
20 into pulling us into the tent, I'm very concerned going  
21 forward because that's behind this whole working  
22 group -- group concept and livening that, working with  
23 you, acting as a partner, and if these folks have been  
24 working on this for a couple of years and there have  
25 been obstacles to doing this and it turns out it's sort

1 of either an emotional, political or bureaucratic  
2 obstacle, we really have to work hard to get through  
3 that, and I want to go on the record as saying as a  
4 community member, I'm really going to be watching this  
5 and this new process that we're trying to implement as a  
6 way to try to help us all get this park cleaned up in a  
7 way that is cost-efficient and permanently effective,  
8 and this problem that these guys are articulating is of  
9 great concern to me because as Peter pointed out,  
10 there's -- there's a disconnect here and we need to get  
11 to the bottom of it, and they know -- they already have  
12 a sense of what that disconnect is, so I really urge you  
13 to -- to kind of dive into this for us.

14 Thank you, Doug.

15 FACILITATOR KERN: That's my proposal for  
16 the next meeting is to -- I'm willing to, you know, fall  
17 on my sword and be shown that I'm out to lunch about  
18 this, but I'm -- I guess I'm relatively confident in my  
19 skepticism.

20 So if that -- I suggest that that be the  
21 content for our next committee meeting.

22 MR. ULLENSVANG: Doug, can I offer  
23 something? I'm sure Craig's thinking right now on this  
24 issue, but just from an administrative standpoint, the  
25 trust was proposing at the next committee meeting to



1 talk about 207 and that document is coming out -- is  
2 required by Jim for July 15th submittal, and the idea  
3 was to talk at the RAB early as opposed to waiting until  
4 June when it's really too late to make significant  
5 changes, and the RAB may want to consider how that  
6 balances into the committee meeting and weigh what the  
7 choices are so that the trust can act accordingly.

8 I know their consultant's getting graphics  
9 together to help the dialogue.

10 FACILITATOR KERN: Well, that's quite  
11 important that you brought that up and I appreciate  
12 that, and what I would recommend is that that continue  
13 and that we form -- we get our 207/231 working group  
14 together, whether it's three or four people, and that we  
15 meet separately and begin the working group process so  
16 that is curtailed, but it seems to me that whatever site  
17 action goes on from here, if we do not have solid  
18 financial information, we're really just -- it's a key  
19 part of that that we're missing.

20 So I will -- I would ask you to consider  
21 if you would like to be in that working group. We'll  
22 try to set up some sort of meeting, whether it's before  
23 or -- you know, we'll try to arrange a time.

24 Thank you for bringing that up.

25 MS. TRIGIANI: Put me down for that,

1 Doug. I urge anyone else that might be interested to do  
2 that. I really am in support of this working group  
3 concept.

4 FACILITATOR KERN: Okay. We need to move  
5 on to the next topic. And the next topic is the Army  
6 response, the trust response to the Army regarding the  
7 mustard agent site, and Craig, I think there was  
8 supposed to be a person from the public here tonight,  
9 but then you mentioned that that person couldn't make  
10 it.

11 MR. COOPER: Mm-hmm.

12 FACILITATOR KERN: So is there anything  
13 that we'd like to talk about at this point having been  
14 raked over the coals by me about the money part of it?

15 MR. COOPER: Well, you know about the  
16 draft last week, and I got an e-mail from George  
17 requesting that we reiterate on the section regarding  
18 where we -- where the Army said we need -- three of the  
19 sites need further work.

20 I think he suggested that we either --  
21 let's see -- put some kind of schedule together on that  
22 or just reiterate that the Army needs to move fast on  
23 those three sites, and I think I've got a sentence in  
24 there right now, George. I can show you where that is  
25 in the letter, but that's the only comment I've received

1 so far on this letter.

2 And I plan on, you know -- if you want to  
3 add/subtract anything from this letter, I plan on  
4 finalizing it and mailing it tomorrow.

5 It's time to, you know, get this to the  
6 Army so we can proceed, so any other -- any comments on  
7 this? Everyone got this, I'm assuming.

8 MS. TRIGIANI: Yeah.

9 MR. LUIKART: Yeah. It was good.

10 MR. COOPER: Thanks.

11 I have not called Bruce Handel saying that  
12 this letter's coming. I guess I should call him  
13 tomorrow. I'm sure he's not going to be all that  
14 thrilled about it, and I -- you know, I think we've  
15 talked about it before.

16 I've tried to be encouraging on the three  
17 sites where he wants to do more work, but I asked a lot  
18 of -- you know, I framed a lot of questions on trying to  
19 set up our expectations on what would be acceptable for,  
20 you know, how to get to a no further action on the site,  
21 as well, and he has not given us that information that  
22 will let us get to a no further action.

23 And Bob, did you have any comments on  
24 this?

25 MR. BOGGS: Not yet, but we're going to

1 probably write a letter from the agency, as well.

2 MR. COOPER: Okay.

3 MR. BOGGS: So he'll be receiving a two-  
4 pronged --

5 MR. COOPER: I know, that -- George, on  
6 the whole schedule thing, because I asked him. I asked  
7 Bruce Handel from the Army what do you -- who do you  
8 really look to as far as pushing it along. He said  
9 straight out it's not the trust.

10 As you know, take a look at my letters  
11 that I'm going to be attaching to this letter. I've  
12 written two letters on this issue before. My first or  
13 second one, I put together a schedule for Bruce to  
14 follow, you know, with specific deadlines for  
15 milestones. I've done that.

16 You know, I don't even think he met  
17 milestone number one, so a letter -- me doing that  
18 again, George, I could do it. I don't think it will --  
19 I think it's a bit of a waste of my time.

20 MR. DIES: No. I didn't mean to propose  
21 a schedule. So I think they're also impervious to  
22 criticism. They may not be impervious to money. You  
23 might want to add what the accrued costs to date are for  
24 holding the -- the mustard site mound intact.  
25 Something --

1 MR. COOPER: Right.

2 MR. DIES: -- along those lines. Those  
3 delays are insipient PR disaster and a waste of taxpayer  
4 money, and somebody ought to call them out on that.

5 MR. LUIKART: Is there anyone you can cc  
6 to add greater leverage?

7 MR. COOPER: Well, you know, he did say  
8 he looks to DTSC as the real stick to move them along,  
9 and I'm cc'g Bob.

10 I guess I could also cc people higher --  
11 like his boss, the office in Washington, maybe.

12 MR. LUIKART: Or a Congressman or a  
13 senator or would this -- is that doing anything?

14 MR. COOPER: For this particular letter,  
15 I'd rather not --

16 MR. LUIKART: Okay.

17 MR. COOPER: -- go that way.

18 You guys can certainly, you know, go that  
19 route. I think -- yeah. Behind the scenes, I think I  
20 told you that we were going to have someone call -- go  
21 the political route, you know, and make some inquiries,  
22 but then the Army came through with that short letter,  
23 you know, the one that's so disappointing now that we're  
24 writing this letter about.

25 So I think I've got to get my letter out

1 and then wait again to see how quickly they respond  
2 before I, you know --

3 MR. ULLENSVANG: And Bob's agency letter  
4 will throw that.

5 MR. COOPER: Maybe your letter can set up  
6 some specific, you know, guidelines.

7 MR. BOGGS: We'll try. The Army -- the  
8 Army oftentimes marches to their own drummer at some of  
9 these other sites.

10 We do have some leverage, but if they're  
11 determined one way or the other, it's difficult to get  
12 them to move real quickly.

13 MR. COOPER: Yeah.

14 MR. BOGGS: But we just need to start  
15 walking down that road and eventually progress usually  
16 does get made.

17 FACILITATOR KERN: Very good. Thank you.  
18 Reports from our regulators. Bob.  
19 Anything?

20 MR. BOGGS: Just a couple quick things  
21 that might relate to where you guys are changing your  
22 format and your focus.

23 RAP 3 has a -- quite a number of sites,  
24 and that's actually a decision document that gets  
25 signed, and that's kind of -- once that gets signed, you

1 guys don't have a lot of opportunity to comment on these  
2 sites.

3 I'm actually meeting with management to go  
4 over our comments regarding the Draft RAP, and we have  
5 quite a few. I've had over twenty pages of comments  
6 that we get down into some real detail on some of these  
7 sites, but there's still some concerns that need to be  
8 addressed.

9 So part of your focus in -- for making  
10 these meetings more efficient, you may want to try to  
11 prioritize or schedule some of those sites that are  
12 important to the RAB and actually get those  
13 subcommittees going because public comment period for  
14 that where formal comments are accepted and have to be  
15 formally responded to should be happening within the  
16 next few months, and so it's kind of your window now to  
17 really make a difference regarding those -- those RAP  
18 sites, so you may want to prioritize those a little bit.

19 The other thing that came up along those  
20 lines, we had a management meeting in Sacramento, and  
21 there was a recently passed bill, SB 12, that has to do  
22 with CEQA and people, and basically what's happening now  
23 is for any project coming through CEQA, the Native  
24 American Heritage Institute or something -- I don't know  
25 the exact acronym, they're getting involved and they

1 sent a letter out to all the local tribes. We will have  
2 to have them get involved with these projects, as well.

3 It's anticipated it's going to cause a  
4 delay at the agency end because all comments to them  
5 actually have to go from our director. There's  
6 something about it of a leader talking to a leader that  
7 I don't see for DTSC, and so any interactions from this  
8 agency to them has to go leader to leader.

9 So everything coming from me has got to go  
10 through the management chain. So they're predicting  
11 it's going to be a couple months delay just dealing with  
12 those concerns that will be raised.

13 Presidio's probably -- because  
14 historically the Ohlone tribe has gotten involved here  
15 and shown some concern at various times, we will  
16 probably have some interfacing to do with that.

17 FACILITATOR KERN: Questions for Bob?  
18 Jim, anything?

19 MR. PONTON: No.

20 FACILITATOR KERN: Okay. Any new  
21 business?

22 So we're going to -- there's actually one  
23 rather significant -- we should be able to proceed well  
24 with our next meeting given that agenda, and I will try  
25 to organize with Craig and Brian something about a



1 working group and the 207/231 site.

2 I will -- I am taking off on another trip,  
3 however. I've been given the opportunity to go to  
4 Portugal to do some water quality testing, which is what  
5 I do in my daily life, and so it's a great opportunity,  
6 and I leave on the 23rd, which is probably a day before  
7 the next committee meeting, so I will leave it -- that  
8 committee meeting for all of us to interact and to make  
9 your best judgments regarding the financial information.

10 I should be back just prior to the next  
11 meeting, so I'm going to talk with some of you to be  
12 arranging for the agenda in this format so that we're  
13 ready to go for our next full RAB meeting.

14 Are there any other items before we close  
15 the meeting?

16 Thanks to everyone for your participation,  
17 coming out tonight. Appreciate that, and without  
18 objection, the meeting is adjourned.

19 (The meeting concluded at 9:21 PM).

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1 STATE OF CALIFORNIA )

2 COUNTY OF SAN FRANCISCO )

3  
4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the  
6 time and place therein stated; that the foregoing is a  
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the  
10 foregoing meeting and caption named, or in any way  
11 interested in the outcome of the cause named in said  
12 action.

13  
14 IN WITNESS WHEREOF, I have  
15 hereunto set my hand this  
16 \_\_\_\_\_ day of \_\_\_\_\_,  
17 2005.

18  
19 \_\_\_\_\_  
20 Mark I. Brickman CSR 5527  
21  
22  
23  
24  
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JUNE 14, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator (Absent)

Mark Youngkin, Co-Chair

Peter O'Hara

Craig Cooper

Brian Ullensvang

Jim Ponton

Sara Segal

Gloria Gee

Sam Berman

Julian Hulgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mark Trigiani

Julie Cheever

David Sutter

Edward Callanan

Bob Boggs

John Luikart

Also present:

John catts

Mark Frey

Jeff Deis

John de Witt

Richard Perry

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on June 14, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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## AGENDA

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3	1) Welcome and Introductions - Mark Youngkin:	4
4	2) Agenda Discussion and Approval:	4
5	3) Committee Business & Reports -	
6	RAB working group progreess report:	5
7	4) Reports and Discussions - Craig Cooper	
8	Draft Landfill 8&10 Feasibility Study:	27
9	5) Regulatory Agency Status Updates/Input -	
10	Robert Boggs, Toxic Substances Control:	None
11	Jim Ponton, Reg Water Quality Control Bd:	97
12	6) Announcements and Old Business:	13
13	7) Review of action items, agenda items:	97
14	8) Adjournment:	100

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1 MR. YOUNGKIN: Good evening. I don't see  
2 Doug Kern. I think we'll go ahead and start without  
3 him.

4 This is the regularly scheduled monthly  
5 meeting of the Restoration Advisory Board of the  
6 Presidio of San Francisco. I'm Mark Youngkin, co-chair.  
7 Doug Kern, our facilitator, is in Portugal, I believe.  
8 I hope he had a good trip back. He's supposed to arrive  
9 today. Rob hundreds of tourists on the beach.

10 MR. BOGGS: Doug was one of them?

11 MR. YOUNGKIN: I hope not.

12 MR. O'HARA: Maybe he isn't coming.

13 MR. YOUNGKIN: Does everyone have a copy  
14 of the agenda?

15 MR. BERMAN: The real reason that Doug  
16 went to Portugal is there is a well-known site there in  
17 the mountains above the autograph called FOIA.

18 MR. YOUNGKIN: That's a RAB joke.  
19 Does anybody have any questions about the  
20 agenda?

21 MR. BERMAN: That's the highest point in  
22 the Olgar.

23 MR. YOUNGKIN: Seeing none, we'll move  
24 on.

25 Committee business and reports. We had

1 the -- Dave Sutter here? Dave. Last committee meeting,  
2 we had spent quite a bit of time talking about the  
3 financial report, and Dave, can you give us a little  
4 update on that?

5 MR. SUTTER: Yeah. At the last committee  
6 meeting, Craig had submitted updates on the summary  
7 tracking reports plus an overall budget program, budget  
8 update, and when the RAB met afterwards, what we agreed  
9 to do was since Doug is enjoying the riots in Portugal,  
10 and as soon as he gets back, since he's the other member  
11 of the working group on the financial reporting, I would  
12 get together with him, go over with him the -- the  
13 current updates that Craig provided, and then Doug and I  
14 would put together a report for the RAB on the current  
15 status of the reports, the reporting methodology, and  
16 hopefully I plan to be in touch with Doug tomorrow or  
17 Thursday, see about when he and I can get together, and  
18 hopefully we'll be able to report something at the next  
19 committee meeting to the RAB. That's the target.

20 MR. BERMAN: Can you give us -- I  
21 unfortunately couldn't make the meeting. I wonder if  
22 you can give us an inkling of your impressions.

23 MR. SUTTER: Well, since -- since the  
24 last committee meeting, I haven't gone through Doug's or  
25 Craig's updates in detail. I was sort of out of things

1 for a week with bronchitis and I was sort of out of  
2 things for a week with jury duty, but from just my brief  
3 scanning of the -- of the updates, there's still --  
4 there's still work to be done on these, I believe.

5 But I want to get together with Doug  
6 because he had concerns about some aspects of the course  
7 reporting from previous meetings that we had had, and  
8 basically go over it in detail with Doug so that we can  
9 come up with an agreed upon list of recommendations to  
10 the -- to the RAB.

11 MR. YOUNGKIN: Peter.

12 MR. O'HARA: I recall at the last meeting  
13 last month there was a significant difference of opinion  
14 between what Craig thought he was giving you and you  
15 were not receiving, and I'm wondering at this particular  
16 point has that issue been resolved?

17 MR. SUTTER: No. Again, as I mentioned,  
18 through these other circumstances, I haven't -- I  
19 haven't gone through the current updates in detail. I  
20 intend to do that this week.

21 So I can't really evaluate at this point  
22 whether -- whether some of the fundamental problems that  
23 Doug and I had been concerned about, whether those had  
24 been addressed in -- in Craig's current updates.

25 So I guess what I'm saying is the jury is



1 still out on that at the moment. Hopefully by -- by the  
2 next committee meeting, if Doug and I can get together  
3 and go over all this stuff, we'll be able to report on  
4 these -- these fundamental kind of issues as well as the  
5 detail that's in the reports.

6 MR. O'HARA: I'm sort of curious --  
7 curious as to -- you seem to want to receive basic  
8 information and what you're receiving is questions as to  
9 why you want to receive it.

10 Is that my understanding or is there  
11 something that I'm missing?

12 MR. SUTTER: I don't understand your  
13 question, Peter.

14 MR. O'HARA: All right. Then I'll pass.

15 MR. COOPER: I mean, at the last  
16 committee meeting, I handed out my first full and  
17 complete financial report, and I think that's what Dave  
18 was expecting from the get-go and I think we just  
19 miscommunicated.

20 I was trying -- I thought the admin  
21 working group meeting was about trying to work on pieces  
22 of and fit it together, but based on the last RAB  
23 meeting, I basically realized that Dave just wants the  
24 report. Just send it out.

25 So at the last committee meeting, that's

1 what I did. I sent out a full and complete financial  
2 report. It's the first time that we've done this in a  
3 way that's completely comprehensive with budgets and  
4 cost tracking for every single remediation site that we  
5 have at the Presidio.

6 So -- now, you know, Dave needs to take a  
7 look at it and we can go from there.

8 MR. O'HARA: Thank you.

9 MR. COOPER: And if anyone else wants a  
10 copy, I know that there was a lot of people at the last  
11 committee meeting, but if you weren't at the last  
12 committee meeting and you want a copy of the financial  
13 report that I distributed, you know, just raise your  
14 hand now.

15 I can jot down your name and make you a  
16 copy or you can tell me at the break or something.  
17 Gloria? You'd like a copy. Anyone else?

18 MR. O'HARA: Craig, could you e-mail me a  
19 copy?

20 MR. COOPER: It's hard copy. I -- yeah.  
21 Hard copy would be best.

22 MR. O'HARA: Thank you.

23 MR. COOPER: Mm-hmm. I've got extra  
24 copies. Okay. Great.

25 MR. YOUNGKIN: Thanks, Dave.

1 MS. BLUM: Just one more comment. Craig,  
2 I believe in our last meeting, you said that there were  
3 certain corrections that you needed to make just even in  
4 the information that we got, so I'm wondering if those  
5 have been made and maybe we should all get new copies,  
6 or if it's -- the information is pretty much the same  
7 way --

8 MR. COOPER: It's pretty much. At least  
9 the feedback that I got was more like formatting, how to  
10 name columns and headers, things like that.

11 I'm going to be issuing these reports  
12 every quarter. I plan on incorporating the feedback  
13 that I've gotten so far in the next quarter's --

14 MS. BLUM: Okay.

15 MR. COOPER: -- financial report, which  
16 will come out, you know -- I'm going to try -- you know,  
17 this last one kind of went out in the middle of a  
18 quarter because we -- there was a cost as of the end of  
19 April, whereas at the end of March is actually the end  
20 of the quarter.

21 So the end of June is the end of another  
22 quarter, the end of this month, so I'll be coming out  
23 with another financial report sometime in July.

24 So --

25 MS. BLUM: Thank you.

1 MR. COOPER: -- I'll be making those  
2 corrections at that time.

3 MR. SUTTER: Yeah. Let me just summarize  
4 by saying that at the moment from -- from my brief  
5 review two weeks ago, the cost summary tracking reports,  
6 which are the basic project spreadsheet reports, still  
7 have significant deficiencies.

8 We pointed some of those out at the  
9 committee meeting two weeks ago and we will be  
10 summarizing those -- -- Doug and I will be summarizing  
11 those in our report to the RAB at the next committee  
12 meeting.

13 MR. O'HARA: I have one thing.

14 Craig, in terms of the trust, are you  
15 getting these reports to the people that you report to  
16 and has there been any reaction in terms of the  
17 substance or the concept?

18 MR. COOPER: Um, yeah. Jeff definitely  
19 got a copy. He got a copy about just -- well, actually,  
20 we had kind of a preliminary draft a couple weeks before  
21 the RAB committee meeting and he got final version like  
22 the day before the RAB committee meeting, and, you know,  
23 we've -- we've spent sometime on some of the projects  
24 that have cost overruns and what are some of the causes  
25 and contributing factors to that.

1           So we spent a long time talking about that  
2 as I'm sure we'll continue to. You know, as -- you  
3 know, we right now are estimated complete shows that we  
4 don't have enough money right now to finish all of our  
5 projects, so that of course is a concern, as well,  
6 but --

7           MR. DEIS: I'm Jeff Deis. I work with  
8 Craig and Craig reports to me, and yes, I have seen the  
9 report. We've gone over it. Craig's given it to me.

10           I'm still a bit in the educational mode.  
11 I'm learning about what Craig's doing, and having  
12 spreadsheets he put together were very helpful for me.

13           I had a number of questions on it and  
14 we're still kind of going through it, you know, and kind  
15 of getting a better understanding of why we're not --  
16 we're not projected to be within budget through the  
17 completion of all the projects and what we can do to  
18 correct that, a better understanding of what Craig is  
19 doing.

20           So I can't say that I've got my real  
21 definitive response other than the fact that I am trying  
22 to understand the dynamics behind the numbers.

23           MR. O'HARA: Obviously the RAB is a -- an  
24 oversight committee. It was very important to us to  
25 find out where the trust was in terms of expenditures,

1 where the money was going, how it was being spent, and  
2 more importantly is there going to be enough money at  
3 the -- at the end of this cleanup period to fund all of  
4 the projects.

5 It's a tool for us, but I think as well it  
6 was intended to be a management tool because there was  
7 nothing in place, and so I think your -- from your  
8 perspective, it would be very important to this body to  
9 get a -- a critical reaction to what it is we're asking  
10 for and how it does or does not help you.

11 MR. COOPER: Well, yeah. We did it  
12 primarily first for ourselves, because you're right. We  
13 did not have -- other than, you know, invoice tracking,  
14 we didn't have this level of project level budget and  
15 cost tracking system in place.

16 You know, something that we're not going  
17 to be keeping up-to-date, you know, with these monthly  
18 internal updates and quarterly external updates.

19 So, I mean, you're right. The first user  
20 of these reports is us at the trust, and then the  
21 secondary user is the RAB and other public members who  
22 want to know where the money's going and how are we  
23 doing budget-wise and things like that.

24 So this is -- this is a tool for the trust  
25 to use for managing this program from at least the

1 finances from this point to conclusion. We're going to  
2 keep it going.

3 MR. O'HARA: Okay.

4 MR. YOUNGKIN: Okay. Any other  
5 discussion of the committee reports?

6 Let's move on. Any other announcements?  
7 We kind of went over it pretty fast.

8 MR. COOPER: I want to introduce -- he  
9 introduced himself a bit. This is Jeff Deis, the new  
10 chief operating officer for the new Presidio Trust.

11 He got hired three months ago and he's --  
12 like he said, he's my boss and I'd like to welcome him  
13 again to the Presidio.

14 He lives on supper sunny slough, and he  
15 has come tonight to get to know a little bit and he can  
16 talk a little bit about the trust.

17 MR. DEIS: It's good to be here and get  
18 to know everybody and it's a pleasure to join you at one  
19 of your evening meeting.

20 I've been in commercial real estate  
21 development and management most of my career. I started  
22 out at the Irvine Company in Southern California in  
23 Orange County and I was with them for ten years doing  
24 asset management, development, property management,  
25 tenant improvements, construction work, and the

1 portfolio I had there is a commercial mixed use  
2 portfolio, primarily office industrial, some retail.

3 I left there. I was with a company called  
4 Colorado and Tennessee Real Estate Company in Colorado.  
5 We had a portfolio of about eight million square feet of  
6 mixed use properties, and then I also -- after that, I  
7 worked for a company called Four City, Four City  
8 Development.

9 They're out of Cleveland, and I worked on  
10 their redevelopment of the Stapleton Airport outside of  
11 Denver and I was responsible for all the non-residential  
12 and commercial development.

13 In terms of what Craig does and what your  
14 involvement is here, and my experience in that has  
15 really been sort of an offshoot of, I guess, issues that  
16 arise in other development of property.

17 So I've had -- I have had remediation  
18 projects that I've -- I guess, didn't want to be  
19 responsible for, but became responsible for in the  
20 course of developing projects.

21 I've had -- we've had 55 gallon drums of  
22 pesticide found in land we went to develop. I've had  
23 asbestos problems in buildings. We've had petrochemical  
24 spills on properties, TCPs --

25 MR. COOPER: PCBs.



1                   MR. DEIS:    Yeah.  Whatever.  We've had  
2   those in the soil and threatening groundwater.  I had an  
3   800,000 square foot building that was filled with  
4   asbestos.

5                   So I've had some experience, but primarily  
6   from, you know, a developer's perspective in terms of  
7   hazardous waste and remediation, and in all those  
8   instances, obviously, I wasn't qualified and we didn't  
9   make any good decisions on what needed to be done  
10  without some expert advice and opinion, and so I've  
11  always relied on outside experts and people who are  
12  familiar in the field, familiar with the cleanup and the  
13  right protocol, and I guess the regulatory agencies.  
14  I've used them for advice.

15                  So that's really my involvement in  
16  remediation.

17                  So in this case, obviously Craig is my  
18  expert advisor.  And it's good to be here.  Thank you.

19                  MS. TRIGIANI:  Thanks for coming.

20                  MR. BOGGS:  While we're on introductions,  
21  I'd like to introduce Richard Perry.  Raise your hand.  
22  He's the new public relations specialist at DTSC.  Just  
23  a couple weeks ago, he's been assigned to the Presidio,  
24  and I encourage any of the RAB members to contact him as  
25  a resource if there's any information or assistance you

1 might want.

2 He can help you as an information resource  
3 or at least if he doesn't have the answer at his  
4 fingertips, he can probably get us going in the right  
5 direction.

6 So would you like to say a word or two  
7 about yourself and --

8 MR. PERRY: If I don't know it, I'll call  
9 Bob, and Irvine Company used to be one of my clients  
10 when I was in the building industry, so I came into this  
11 from public -- public businesses. I worked as a  
12 lobbyist in DC and Sacramento before I came to DTSC.

13 I'm looking forward to this project. I've  
14 been watching the development of the Presidio into a --  
15 into a park, and it's one of the few real successes that  
16 I've had the opportunity to see. I'm really happy to be  
17 here.

18 MR. BERMAN: I hope you won't think this  
19 is impertinent, Jeff, but could you sort of say what  
20 your role will be here in the Presidio?

21 MR. DEIS: I'm chief operating officer.  
22 I have four departments that report to me. One is  
23 remediation, obviously.

24 Also the real estate department,  
25 construction and design and operations and maintenance,

1 and so in all, it's a good chunk in terms of the people  
2 at the Presidio, probably the majority of them are, you  
3 know, in those four departments and most of those are in  
4 operations and maintenance.

5 MR. BERMAN: So what sort of decisions do  
6 you make in your job?

7 MR. DEIS: As it relates to what --

8 MR. BERMAN: Any of these departments. I  
9 mean, in a sense, I see them as sort of self -- almost  
10 self-contained entities, and so they report to you, but  
11 what sort of decisions will you make? Can you give an  
12 example, maybe?

13 I know I'm putting you on the spot, but  
14 this is a problem with public groups. You can't fire  
15 them.

16 MS. TRIGIANI: He means us.

17 MR. COOPER: I was going to say because  
18 we could be easily fired at the Presidio Trust.

19 MR. BERMAN: You're not a public group.  
20 You're a government employee. We're -- it's quite  
21 difficult to fire us, so you may get some -- some  
22 frivolous questions which you don't have to answer --

23 MR. DEIS: I guess I can give you some  
24 examples in say each of those departments if you'd like.

25 In real estate, I'll be involved in what

1 kinds of developments we might want to do or what kind  
2 of tenants we may want to lease buildings to. How we  
3 structure the deals, what the -- you know, the economics  
4 of the deals are, the deals are and if they make sense.

5 I'll be involved in how we'll do the  
6 construction, how we'll do the design of the different  
7 projects. I may be responsible for decisions on if  
8 they -- if our approach is going to be consistent with  
9 historic preservation standards.

10 In operations and maintenance, I'll be  
11 involved in -- I mean, we do everything from landscaping  
12 to utilities to construction and maintenance of  
13 residential buildings.

14 So I've been involved in helping to  
15 organize how we do that effort and what our  
16 activities -- what the activities may be in some of the  
17 different groups and how do we -- how do we organize  
18 ourselves to do that effectively.

19 And in terms of design and construction,  
20 I've been involved in what -- on certain projects, do we  
21 do the construction in-house or do we hire outside  
22 contractors to do it for us? Should we do -- should we  
23 do construction management in-house or outside?

24 You know, so what kind of design features  
25 do we want in some of the projects that we're working

1 on. So those are the kinds of things I've been involved  
2 in.

3 MR. BERMAN: Right. So those  
4 informations are fed to you by like the real estate  
5 department and then you review them, and do you then  
6 make the final decisions? They recommend an action and  
7 you make the final decision?

8 MR. DEIS: It really depends on what it  
9 is.

10 MR. BERMAN: You're in a position to, for  
11 example, veto -- suppose that Craig comes up with a --  
12 a -- a plan of action.

13 Are you in a position to veto that, for  
14 example?

15 MR. DEIS: Probably not on my own, no. I  
16 wouldn't. Of all the departments I mentioned, of the  
17 four departments, remediation is the one where I have  
18 the least amount of expertise, and I'll rely more and  
19 more on people like Craig and other people in the  
20 department for advice and recommendations.

21 I've probably made -- have made since I've  
22 been here the fewest number of decisions, Craig,  
23 involving your department than any other.

24 MR. COOPER: Right.

25 MR. DEIS: I don't think I've given --

1 I'm interested in how the department is run and I'm  
2 interested in things like the spreadsheet that Craig  
3 handed out last time and how that impacts what the goals  
4 are of his department, but I'm not going to -- I'm not  
5 in a position to tell Craig how to put together a  
6 remediation action plan or a -- you know, I'm not sure I  
7 know PCP from a -- another -- another environmental  
8 hazard in the ground.

9 So in terms of remediation, I'm not really  
10 making decisions that affect the kinds of things that  
11 you're focusing on here.

12 Craig --

13 MR. BERMAN: One of the thorny issues  
14 that's come up in public meetings -- not necessarily  
15 remediation, but in the reuse -- is oftentimes to be a  
16 conflict between what we hear the -- the board of the  
17 Presidio, the presidential appointees the board would  
18 like to see, what the public would like to see and what  
19 the real estate department in its semi-incompetent way  
20 have recommended.

21 So would it be, for example, something  
22 that you can unilaterally decide or -- because we've had  
23 these conflicts arise in the reuse and it's been very  
24 difficult to resolve them.

25 It's not an issue for us here, but as a

1 public person interested in these things, some of those  
2 things have been not resolved very well.

3 So, I mean, are you the person? Are you  
4 going to be the point man, so to speak, to get these  
5 issues resolved?

6 MR. DEIS: You know, I'm not -- you'd  
7 have to give me a specific example or something  
8 specifically would have to come up and I can tell you.

9 I've been here three months --

10 MR. BERMAN: I don't think it's  
11 appropriate to get into that for this committee because  
12 we're not interested in that. I was just curious --

13 MR. DEIS: I can tell you this: I don't  
14 have anything that's, I guess, expensive, controversial,  
15 perhaps not in a complete agreement with some of the  
16 historic goals that we had or preservation goals that we  
17 have or remediation goals that we have, anything that  
18 falls outside of those parameters, I'm not going to have  
19 the right to make the decision on my own without  
20 consultation with anybody else.

21 MR. BERMAN: Thank you. I appreciate  
22 your frankness.

23 MR. YOUNGKIN: Mary.

24 MS. TRIGIANI: Jeff, kind of back to the  
25 financial question. I'm -- is there -- do you have a

1 counterpart that's a chief financial officer to the  
2 trust?

3 MR. DEIS: Yes.

4 MS. TRIGIANI: So when it comes to these  
5 issues of -- of the funds and the spreadsheets being  
6 used within the environmental group and then potentially  
7 by the chief financial officer and yourself in terms  
8 of -- of monitoring how things are going, is that sort  
9 of an integrated process? Does that strictly go up to  
10 the CFO or is that something that you would weigh in on?

11 Because I know -- it sounds like you're  
12 building out a little bit of infrastructure at the  
13 trust, and I'd like to get my arms around that process.

14 MR. DEIS: I mean, anything that --  
15 anything that has to do with creating budgets, projects,  
16 capital budgets, operating budgets, for any of my  
17 departments, obviously I'm very involved in.

18 MS. TRIGIANI: Right.

19 MR. DEIS: We need to monitor how we do  
20 against those budgets as we do in the course of the  
21 year.

22 Anything that has to do with financial  
23 projections as to how we expect to do on some of our  
24 buildings that we lease, for instance, I'm very involved  
25 in creating those financial pro formas --



1 MS. TRIGIANI: Right.

2 MR. DEIS: -- and monitoring and making  
3 sure that we accomplish what we say we're going to do.

4 Anything, I guess, that impacts my  
5 departments economically or financially I am involved  
6 in, and obviously, you know, I work with the chief  
7 financial officer and the controller trying to  
8 understand, you know, the numbers behind what we're  
9 doing.

10 So I have operational numbers that I look  
11 at every month that tells me what -- what our revenues  
12 are and expenses are for the different departments.

13 MS. TRIGIANI: But so as in a typical  
14 organization, the CFO would have responsibility for  
15 accounting standards, internal controls --

16 MR. DEIS: Right.

17 MS. TRIGIANI: -- and any sort of  
18 compliance issues?

19 MR. DEIS: Right. And that is the case  
20 here and it's -- and those responsibilities lie with the  
21 CFO.

22 MS. TRIGIANI: Got you.

23 MR. DEIS: So I don't have any  
24 accounting, for instance.

25 MS. TRIGIANI: Right.

1           MR. DEIS:    I don't have any of the  
2   internal control functions under me. We have a  
3   controller that we work with, but, you know, we provide  
4   information to them and we get information back, but  
5   they do all the accounting and financial projections.

6           MS. TRIGIANI:   Thank you. That was it.  
7   Thank you very much.

8           MR. YOUNGKIN:   Dave.

9           MR. SUTTER:    Yeah, Jeff, following up on  
10   budget and financial questions, since you've got four  
11   departments under your --

12          MR. DEIS:    Yes.

13          MR. SUTTER:    -- back, if you run into a  
14   budget problem in one department, can you transfer money  
15   from one of the other departments to solve that problem?

16          MR. DEIS:    Not very easily.

17          MR. SUTTER:    Mm-hmm.

18          MR. DEIS:    Not unless the CFO says I can.  
19   No. Not really, no.

20          MR. SUTTER:    Okay. What I'm --

21          MR. DEIS:    I'm not sure exactly -- we're  
22   talking kind of hypothetical and --

23          MR. SUTTER:    I --

24          MR. DEIS:    -- theoretical, but it's hard  
25   to really answer without a specific example.

1 MR. SUTTER: But I guess what I'm getting  
2 to is, you know, as Craig has mentioned, he's currently  
3 projecting an overrun against the hundred million dollar  
4 budget.

5 That could become -- become a significant  
6 crunch that the trust has to resolve -- not now,  
7 necessarily, but perhaps a couple years down the stream.

8 If the overruns are not compensated for by  
9 claims to Zurich or don't fall under the umbrella of  
10 reimbursable -- additional reimbursable cleanup costs  
11 that are the responsibility of the Army, there may come  
12 a point where the trust is going to have to kick in more  
13 money, and that's going to be an issue, I would imagine.

14 I presume that you would be right in the  
15 middle of that decision-making.

16 MR. DEIS: I'd have a part of that, yeah.  
17 A decision like that, I imagine the board would be  
18 involved.

19 MR. SUTTER: Mm-hmm.

20 MR. DEIS: Essentially we'd be taking  
21 revenues from other areas and applying them to  
22 remediation, and it's not anything that I would be the  
23 final decision-maker on.

24 I would imagine that the board would --  
25 Presidio trust board would have a big role in making

1 that decision.

2 It's a question that I don't think we're  
3 at a point where we need to discuss it right now, but,  
4 yeah, we project out and there may be a day when that  
5 happens.

6 MR. YOUNGKIN: Okay. Other questions for  
7 Mr. Deis? Jan.

8 MS. BLUM: I would just like to put one  
9 thing on the table. In the short time that I've been  
10 here, the RAB has -- and Craig has always favored clean  
11 closure, but recently under a planned children's  
12 recreational center, we will be doing the only non-  
13 removal of waste material -- and this is the  
14 recommendation.

15 It hasn't gone through the public  
16 processing yet, but I just wanted to make you aware of  
17 that. This would be the only time in -- I think in the  
18 RAB where we haven't done removal of waste for a clean  
19 closure, actually a clean closure, and I just want to  
20 alert you to that because the planned land use is to put  
21 a children's playground.

22 Current land use for the Presidio Trust is  
23 to put a children's playground for Little Leaguers on  
24 some of that, and it's the only one in the Presidio. So  
25 I just wanted to make you aware of that.

1 MR. DEIS: I'm aware of it. Thank you.

2 MR. YOUNGKIN: Okay. Let's move on since  
3 we're behind the agenda already. Let's go on to reports  
4 and discussions.

5 Craig Cooper, draft landfill 8/landfill 10  
6 feasibility study.

7 MR. COOPER: Okay. Before I get started,  
8 I want to introduce one other person. His name is John  
9 De Witt sitting here to my left. He works for Aror &  
10 Kolnowski. He is here to help me do my presentation.

11 I'm pretty much going to walk through some  
12 slides, but he is the main author, let's say, of helping  
13 putting together this feasibility study, the landfill 8  
14 and 10. There it is.

15 It's just a very short read, and so -- but  
16 before I jump into that, I've got -- if people are  
17 interested, I've got a couple just photographs, no text  
18 of the -- of construction at the fill site 6A project.

19 So it will just take a -- okay. Good.  
20 What I'm going to do is -- if you haven't noticed, if  
21 you haven't driven by Lincoln between Halleck and  
22 Girard, I've got a couple photographs.

23 We'll talk about fill site 6A, and my main  
24 talk tonight is about landfills 8 and 10.

25 This is basically day one. Fill site 6A

1 is over here on this side is Halleck Street and Girard  
2 is -- these are the redwood trees in the middle and  
3 Girard is over here, and it's just a big lump with weeds  
4 growing on it, and you can see this is day one. A  
5 little dirt road has been built already, and we started  
6 on May 23rd. Yeah.

7 That was our ground-breaking day, and  
8 basically, you know, it's pictures that you've seen  
9 before at our previous landfill clean closure projects  
10 of excavators loading up trucks, loading them full of  
11 soil and debris.

12 In this particular landfill, there's not  
13 much debris, mostly soil, and there's the YMCA in the  
14 background there, that particular perspective.

15 So this is Lincoln up here, and there's  
16 the sidewalk that you can actually -- you got a great  
17 view if you want -- it's one that you can just stand on  
18 the sidewalk right next to Lincoln here and watch the  
19 whole operation and you're outside the site, so you're  
20 safe, and -- but what this slide is showing is that as  
21 we're excavating down, we're exposing this cobblestone  
22 wall that is historic, and we weren't too sure how far  
23 the wall goes down the embankment, but as we dug, the  
24 historians are really excited about, you know, exposing  
25 this wall and so people can appreciate it when -- in the

1 future when the project's all done.

2 I've got another shot of this; not the  
3 best photograph due to the shading, but anyway this wall  
4 is being exposed.

5 MS. YAROS: How old is the wall; do you  
6 know?

7 MR. COOPER: I don't know. I'll find out  
8 next time. But I do know it's covered by the National  
9 Historic Preservation Act. It's got to be at least 50  
10 years old.

11 But, you know, I think we've talked about  
12 the history. At that particular site, it goes way back,  
13 you know, so I can -- I can check. I'm actually  
14 interested myself.

15 So this is not the greatest photo, but  
16 remember that well. It is an important one. That's the  
17 storm pipe. That is -- that we've all talked about.

18 That eventually is going to get pulled  
19 out, and this is way in the corner of the site away from  
20 Lincoln over by building 1029.

21 Think of if you're standing on Lincoln,  
22 the furthest most part away from you, that's what you  
23 see here, and this water, we think some of it might be  
24 right about where the groundwater table is being  
25 exposed.

1           It also -- remember it rained, was it last  
2 week or the week before so that might be a little rain  
3 water that's collected there, too. I'm not sure how  
4 much of that is groundwater and how much is rain water.  
5 We do expect to be right about at the water table here.

6           The ground -- pulling the pipe is going to  
7 get tricky because it's going to get very mucky and  
8 muddy and so on, but don't be surprised when you see  
9 water.

10           And so basically the trucks come in from  
11 Girard and then they just make this big U and they get  
12 loaded and then they just pull out and hit Girard again  
13 and make a left, and we've actually built this kind of  
14 temporary ramp, because Girard pretty much dead-ends and  
15 you have to make a right-hand turn, but we've built this  
16 so the trucks going go into the parking lot for these  
17 buildings here and head on to Mason and then to the  
18 Marina gate and up on Doyle Drive, and all the soil is  
19 going to Ox Mountain landfill in Half Moon Bay and it's  
20 going as non-hazardous, which is excellent for us  
21 because that's the cheapest possible type of waste that  
22 we can send out.

23           So, no. I guess not.

24           This photo -- it doesn't really show the  
25 depth, but this photo was taken today, so before --



1 remember the original photograph, this was like -- there  
2 was a big grassy hump here and now the valley here is  
3 actually starting to form, and -- so anyway, that's the  
4 fun part, and now for the boring stuff.

5 All right.

6 MR. BERMAN: Are you expecting from this  
7 first preliminary dig, are there any indications of any  
8 surprises?

9 MR. COOPER: You know what? No surprises  
10 so -- no big surprises so far.

11 The building foundations over near Girard  
12 where the nurse's quarters was located, those are a  
13 little bit deeper than we initially had anticipated.

14 There was actually maybe some basements  
15 there that we didn't know about, so we're going to have  
16 to, you know, think about how to handle them, and, you  
17 know, truck traffic is always a hassle, but for being in  
18 the main post, I'm the point person on any complaints  
19 about noise or dust or anything like that, and it's been  
20 relatively -- I've gotten some calls from people, but no  
21 big complaints so far. That's great.

22 People are happy that -- especially the  
23 people that live -- that one building that you see in  
24 the background, people live right next to it, and they  
25 were happy that it looked like we're making a lot of

1 progress fast, because, you know, I told them that we  
2 probably wouldn't even get to the pipe pulling part  
3 until the end of August, and we're hoping to be ready to  
4 start pulling the pipe in July sometime.

5 So -- but you never know. Remember the  
6 railroad -- remember we hit railroad tracks. We have  
7 not hit any railroad tracks. So that's excellent news  
8 so far. They still might be lurking out there, but I --  
9 it's getting more and more unlikely.

10 We found the foundations of the warehouses  
11 that the railroad tracks serviced, but the railroad  
12 tracks, at least in that -- there was a railroad spur  
13 that came in there that dead-ended right at Lincoln, and  
14 no railroad tracks. That would have been a potential  
15 big delay for us because the archeologists would have to  
16 come out and so on.

17 That's about it. I mean, we're hitting  
18 some stained soil here and there. I need to talk to Jim  
19 about some petroleum contamination that we just  
20 uncovered yesterday, but we're not too sure -- we think  
21 it might be from an underground storage tank that was  
22 from the warehouse or something like that, but no tank.  
23 We haven't hit a tank yet. Just petroleum stained soil,  
24 and so far so good.

25 MR. YOUNGKIN: The initial lead testing

1    came out low?

2                   MR. COOPER:    Yes.  The landfill accepted  
3    our -- basically our site characterization data.  They  
4    did make us take a few more samples, but, yeah, the TCLP  
5    and the wet tests are -- the lead concentrations are low  
6    enough so we're not kicking into any type of hazardous  
7    waste category.

8                   That's -- as you know, that's what was  
9    hurting us like at Baker Beach 3 and landfill 4 was  
10   leachable lead was leaching out and causing the waste to  
11   be categorized as hazardous waste which makes the off-  
12   site disposal of that waste go up at least three times  
13   or four times the amount, yeah.

14                  MR. SUTTER:    So Craig, are you disposing  
15   of this waste mainly as class III waste?

16                  MR. COOPER:    Yes.

17                  MR. SUTTER:    Great.

18                  MR. COOPER:    Yeah.

19                  MR. ULLENSVANG:  Folks here might want to  
20   know that it's going out as daily cover class III.

21                  MR. COOPER:    Daily cover is a soil --  
22   basically every time they close for the door, they have  
23   to cover their waste up with clean or relatively clean  
24   soil.

25                  So it's -- and so it's been used as the

1 soil to kind of button up the landfill for the day.  
2 That's called daily cover, and it's -- right. So it's  
3 the cheapest possible waste that we can send off to the  
4 landfill. We're getting the rock bottom price on this  
5 particular one.

6 Okay. Ready for the landfill 10 --

7 MR. YOUNGKIN: One question.

8 MS. TRIGIANI: One thing. You know, not  
9 to be the police on the agenda, but we've had a surprise  
10 guest who we loved having and we've had a surprise  
11 debrief on 6A when what we've asked for tonight is a  
12 discussion of landfill 8 and 10, so I'm a little  
13 concerned because on the original agenda, Mark, we had  
14 Craig speaking for forty minutes and then a half hour  
15 discussion and I don't see us getting through all of  
16 that by 9:00 PM.

17 So maybe we need to rejigger a little bit.

18 What do you think? If nobody else thinks  
19 this is a problem, great, but I'm a little concerned.

20 MR. YOUNGKIN: Let's see how long it  
21 takes Craig to --

22 MR. COOPER: Okay. I will take that as  
23 advice to get going.

24 All right. So about two months ago, I  
25 gave a little bird's eye view about landfills 8 and 10,

1 and this is the -- the feasibility's out, so now it's  
2 about getting into the details about what the trust is  
3 recommending with respect to these two landfills.

4 So I'm going to kind of recap what are  
5 the -- what is it about landfill 8 and 10 that we need  
6 to know about, what are the possible remedies that we  
7 looked at when we first reached landfill and what  
8 happens next with respect to this feasibility study  
9 report and future steps.

10 So I know this is a horrible map. It's  
11 the big Presidio map, but here is where Public Health --  
12 Public Health Service Hospital is located, and landfill  
13 10 is that big, you know, parking lot -- looking parking  
14 lot in the slope here, and landfill 8 is immediately  
15 behind the old hospital. So they are in the public  
16 health area.

17 Okay. Some basic background information  
18 about each of these landfills is presented in this  
19 slide.

20 I'm not going to read the whole thing to  
21 you, but basically as you can see, landfill 10 is a  
22 lot -- as far as cubic yards go, CY means cubic yards.  
23 Landfill 10 is much bigger than landfill 8.

24 In fact, it's the largest landfill that we  
25 have in the Presidio -- yeah. And the chemicals of

1 concern in both landfills are pretty similar, but they  
2 have some kind of special issues. Each one has some  
3 special issues that we needed to consider in this  
4 feasibility study.

5 As you know, landfill 8 is resting on top  
6 of the old merchant marine cemetery. So that is  
7 something that we need to be aware of when we think  
8 about remedies.

9 Both of them are -- have habitat  
10 restoration issues that we need to think through because  
11 that's -- you know, the future land use for all of  
12 landfill 8 and a big portion of landfill 10 is in the  
13 native plant zone. So that's something for us to think  
14 about.

15 Both have endangered species. In San  
16 Francisco, the Lessingia plant, either near or -- near  
17 the landfill, so that -- that gets involved in the  
18 remedy thing. Both have aesthetic issues, especially  
19 landfill 10.

20 Landfill 8 is behind the hospital, but  
21 it's important, also, because it's in the Lobos, the  
22 swale area there, the very beautiful area of the  
23 Presidio.

24 10 is going to be very visible from the  
25 Presidio park neighbors, and so if aesthetics of how the

1 configuration of the landfill looks is really important,  
2 and there's going to be tree removal going on at 10, as  
3 well.

4 So that's kind of the basic summary of  
5 issues. This one I'm not going to spend too much time  
6 on.

7 Our remedial action objectives, we've seen  
8 these before. These are the basic goals of what the  
9 Presidio remediation program is all about. These are  
10 the major premises that what are we -- what are we  
11 trying to accomplish at each of our remediation sites,  
12 and again their objectives or goals, sometimes we don't  
13 achieve every single one of these a hundred percent.

14 The top two are required by law that we do  
15 achieve a hundred percent, but some of the others are --  
16 basically are things that we're striving for.

17 And then in this feasibility study -- I  
18 just want to say that my presentation is basically a  
19 summary -- a brief summary presentation of this big  
20 document here, and we brought copies of this document  
21 in -- on CD in PDF, so you can -- you don't have to go  
22 to the trust library and check it out or anything like  
23 that.

24 So John, you put the CDs on the table  
25 there. So back to more specific, you know -- in

1 addition to the programmatic type objectives that we  
2 have for our remediation program, landfill 8 has some  
3 special goals that we were looking at when thinking  
4 about remedies and what we're trying to achieve at  
5 landfill 8 as does landfill 10, and so as you know,  
6 anything at landfill 8, the cemetery's definitely  
7 something that we want to respect and protect, and any  
8 type of remedy that we come up with, again the  
9 endangered species is important, and again making it all  
10 kind of fit into a future land use, which is a native  
11 plant zone, is important for landfill 8.

12 10, as you know, it sits right near Lobos  
13 Creek and right in the -- it's in the Lobos Creek  
14 watershed, so obviously that's a big deal to make sure  
15 that Lobos Creek and the -- the downgradient intake for  
16 our drinking water plant here at the Presidio is  
17 protected.

18 10 has a very steep slope that we need to  
19 fix and make sure it can stand up in future earthquakes.  
20 Again, 10 is also a thing that we need to make it look  
21 nice.

22 It -- the sloping part is in a native  
23 habitat zone in area A of the Presidio, the park service  
24 part, and the flat part on top of landfill 10 is in area  
25 B which is planned to be parking and landscaped and



1 we're going to have a trail there and so on.

2 So those are the kind of -- the goals that  
3 we have for each landfill, and this -- this feasibility  
4 study has been some time in the making, and I gave you a  
5 little bit of an update on what we've been working on  
6 over the last year, and I'm not going to spend too much  
7 time on this to try to save sometime, but we have --  
8 basically the trust put together a very preliminary  
9 draft feasibility study almost about a year ago, and  
10 these area -- the things -- there were some deficiencies  
11 that we needed to fix in it before we put it out on the  
12 street.

13 So these are the things that we worked on  
14 in the last year, and it also identified some of the  
15 tables that you would find in the feasibility study such  
16 as table 9-1 and table 9-2 to 9-4.

17 If you go there, those tables are like  
18 fifteen, twenty pages each, and I'm just going to give  
19 you brief summaries of all the kind of detailed thinking  
20 of how we balanced our conclusion, but if you really  
21 want to dive into the details of our thinking, those are  
22 the tables of the feasibility study that you should go  
23 for and I'll --

24 MR. BERMAN: Craig, on the previous  
25 slide, you had the future land use -- the one before

1 that. Future land use projected for 10, but you don't  
2 comment whether it's going to be for 8.

3 MR. COOPER: Oh, for 8, it's native plant  
4 zone. It's habitat restoration --

5 MR. BERMAN: Okay.

6 MR. COOPER: -- for 8.

7 MR. BERMAN: It wasn't there. I just  
8 wanted to make --

9 MR. COOPER: It's native plant. 10 is  
10 half native plant --

11 MR. BERMAN: It's there on the slide, but  
12 you didn't comment. Thank you.

13 MR. COOPER: Yeah. This is the CERCLA  
14 process that you're all familiar with. I just wanted to  
15 remind you about the programmatic process that we  
16 follow.

17 We already investigated the site a couple  
18 times. We talked about that. This is where we are  
19 right now in the feasibility study where we look at  
20 potential remedy options and recommend a remedy and then  
21 we go to Draft RAP, public comment and so on. You know  
22 the process.

23 So we're still fairly -- fairly early in  
24 the process at these sites, and I presented these to  
25 you, as well. It's just another reminder in the CERCLA

1 program, we have evaluation criteria that we use to  
2 make -- to help us, to evaluate all alternatives, to  
3 decide which ones are a good fit for landfill, which  
4 ones are good projects and which ones aren't.

5 These requirements are required by federal  
6 law and state law for us to follow, and I'll go into  
7 them a little bit more, but just real briefly, as you  
8 know, threshold criteria, for us to select the  
9 alternative.

10 The alternative must meet the -- must be  
11 protective and ARARs, as you know, are those state and  
12 federal laws that are applicable to the cleanup, and  
13 then so that's a given.

14 The balance criteria, that's where we do  
15 the checks and balances and pros and cons of each  
16 alternative, strengths and weaknesses you can call it,  
17 and then the modifying criteria, the community  
18 acceptance, that's what this process is about. We're  
19 just embarking on understanding that.

20 Landfill 8. So now we are -- I'm going to  
21 get into the details of landfill 8. This is obviously  
22 an aerial photograph looking, you know, down on the  
23 site.

24 Here's the hospital down here, and just to  
25 get you familiar a little bit with this particular

1 landfill, the black lines is the estimated extent of the  
2 landfill and this red line is our estimated extent of  
3 the cemetery boundary.

4 So that is -- and just for another piece,  
5 this is kind of planted. This is where the trust  
6 composting facility is in this area here, and I believe  
7 there's an old tennis court sitting right here.

8 So again, that's back behind the Public  
9 Health Service Hospital.

10 And these are the remediation action  
11 alternatives -- we call them remedies -- that we  
12 analyzed in this feasibility study for landfill 8. No  
13 action is required by law.

14 Permeable cover and over the waste with --  
15 with no consolidation. That means just don't touch  
16 anything and just build the cap over the top of it, and  
17 consolidate means to push the waste in closer and then  
18 put the cap over that.

19 So either -- those type ideas with the  
20 permeable cover and the low permeable cover, and I've  
21 got a figure to show what a perm cover is and a low perm  
22 cover.

23 Alternative number 4 is complete  
24 excavation. That's what we call the clean closure  
25 alternative, and then alternative number 5 is like a

1 hybrid type alternative where we excavate the wings --  
2 and I'll explain what the wings of the landfill are in a  
3 minute here -- with a permeable cover over the parts  
4 that we don't excavate, and then there's two kind of  
5 options under this hybrid alternative number 5, and one  
6 is to kind of shave off the entire top three feet and  
7 dig out the wings, and the other one is just to excavate  
8 the wings only.

9 So that's the universe of alternatives  
10 that actually is not the detailed analysis.

11 There was other options and ideas that we  
12 also thought of. They got screened out, and that's  
13 explained in the feasibility study, but these are the  
14 ones that got detailed, and this graphic shows the  
15 difference between a permeable cover and a low permeable  
16 cover, and so the permeable cover -- basically this is  
17 the landfill down here.

18 Then there's a foundation layer, which I  
19 don't have my glasses on, and John, what thickness?

20 MR. DE WITT: Two feet.

21 MR. COOPER: And landfill 8, it would be  
22 covered by dune sand because the natural environment  
23 there is -- it's in a dune environment.

24 So if we were going to try to match up  
25 soil types coming off the cover, we're using dune sand,

1 and the thickness of that is five feet.

2 MR. DE WITT: Three to five.

3 MR. COOPER: Then the low permeable cover  
4 is basically the same, but then there is this geo  
5 composite drainage layer and a membrane in between the  
6 foundation layer and the -- the soil or the -- in this  
7 case the dune over the top, and this one is used to  
8 reduce to rainfall infiltration into the landfill.

9 So that's the difference between the two,  
10 and we'll talk about what -- why is one cover more  
11 applicable or necessary over the other.

12 MR. BERMAN: What keeps the foundation  
13 layer in place?

14 MR. COOPER: What keeps the foundation  
15 layer in place.

16 MR. DE WITT: You would take out the  
17 rough things, the debris and things like that. You just  
18 basically compact it -- you would clarify the land and  
19 kind of compact the foundation layer on to that.

20 It's landfill material that's -- that has  
21 material removed from it.

22 MR. BERMAN: Right. There's no external  
23 support, so on the slope part, what -- what keeps it  
24 from moving.

25 MR. DE WITT: The friction between the

1 landfill itself and the material. The geotechnical  
2 people that work with us in trying to make it, this  
3 slide is -- landfill 8 is not nearly as sloped as  
4 landfill 10 is.

5 MR. COOPER: Right.

6 MR. BERMAN: So the natural friction  
7 forces are sufficient to make it stable.

8 MR. DE WITT: Yes.

9 MR. BERMAN: Thank you.

10 MR. COOPER: Okay. So the next couple  
11 slides basically show photographs as a way to visualize  
12 how each of these alternatives would look in the future  
13 as we did them, and the way they would look, notice I  
14 say that the 2A and 2B, 2 being the permeable -- 2 being  
15 the permeable and 3 being the low permeable.

16 When they're -- after they're built, they  
17 would look the same, so that's why we're able to  
18 combine -- you wouldn't be able to see that liner that's  
19 in between is the foundation layer and the dune sand.  
20 That would be covered by four feet of dune sand.

21 So aesthetically, those two remedies would  
22 look the same, and so if -- and the 2A and the 3A  
23 alternative, that's the one where we don't do any  
24 consolidation. We just build a cover over the entire  
25 extent of the landfill, so we would have to build this

1 foundation layer all the way across, put sand dune all  
2 the way over the entire landfill and then do the re-  
3 vegetation over the top of that.

4           Whereas under the 2B and 3B alternatives,  
5 there we would basically push -- consolidate the waste  
6 and push it into the center -- centers here, and so  
7 this -- these areas would then not have waste on them  
8 anymore and they could be restored, and the waste would  
9 just get piled up basically in the middle of the  
10 landfill for consolidation purposes, and then the cover  
11 would be built over this mounded area that we have in  
12 our consolidated area in the middle.

13           It's a very common way to close landfill.  
14 Obviously it's complicated for this particular one  
15 because of the cemetery.

16           MR. BERMAN: Right. This is really based  
17 on -- that you actually know the boundary of the  
18 cemetery.

19           MR. COOPER: It's our best -- you know,  
20 to the extent that our historians --

21           MR. BERMAN: Right.

22           MR. COOPER: -- were kind of able to  
23 bound proof those boundaries, yeah. It's our best  
24 estimate. They're dashed, you know. It's not meant to  
25 say, you know -- you know, could there be a body here?



1 Yeah. It's possible.

2 MS. YAROS: And the cemetery has to stay  
3 intact or will they --

4 MR. COOPER: Yeah. There's no plans to  
5 exhume any bodies or anything like that, right.

6 MS. BLUM: If you consolidate into the  
7 mound, would that change the topography of the fill?

8 MR. COOPER: Right. That would be  
9 something that would have to be considered, yeah.

10 For alternative number 4, that's the clean  
11 closure alternative, so basically all the waste would be  
12 removed and theoretically the top of the cemetery would  
13 be exposed under that alternative, but -- well, and as  
14 you know, the top of the cemetery's not really well-  
15 defined based on our previous characterization work,  
16 so --

17 MR. YOUNGKIN: Because it was disturbed?

18 MR. COOPER: Yeah.

19 MR. DE WITT: This alternative has the  
20 most chance of coming into contact with remains.

21 MR. COOPER: Right. Remember the trench  
22 work that we did? We thought we were trenching into  
23 fill only and we ended up exhuming a body, so that  
24 wasn't -- that wasn't a very pleasant experience, and  
25 that's why we listed it as one of our remediation action

1 objectives basically not to let that happen again.

2 Can I guarantee that it would never happen  
3 again? Certain alternatives make it more likely that it  
4 would happen that we would exhume a body and other  
5 alternatives would be less likely.

6 MS. YAROS: For the body, the cemetery --  
7 let me rephrase it.

8 What else besides the bodies is under  
9 there? I mean, that needs to be --

10 MR. COOPER: There's no known  
11 contaminated -- that's our operating theory is that  
12 there's no contaminated, you know, waste buried in the  
13 cemetery.

14 Our operational theory is that the Army  
15 just dumped debris over the top, and if that was your  
16 question.

17 MS. YAROS: Yes.

18 MR. COOPER: Yeah.

19 MR. BERMAN: And as far as the historical  
20 records and your preliminary trenching, when the Army  
21 did that, they made no effort to put any kind of  
22 protective layer over the cemetery. They just dumped on  
23 the graves and whatever was there.

24 MR. COOPER: Right. I'm not aware of any  
25 layer that was put down on there, yeah.

1 MR. ULLENSVANG: Of course the bodies  
2 were buried at a certain depth, so there would be a  
3 hint -- in the original, there would have been some soil  
4 over the bodies.

5 MR. COOPER: Right.

6 MR. ULLENSVANG: There was no added layer  
7 that was reported.

8 MR. BERMAN: Right. For example --

9 MS. YAROS: Do you have the approximate  
10 dates of those burials?

11 MR. COOPER: Approximate dates, mm-hmm.  
12 Dating back all the way to the 1880s.

13 MR. DE WITT: '80s, yeah.

14 MS. YAROS: 18 -- from when to when, I  
15 mean?

16 MR. COOPER: 1880s to --

17 MR. DE WITT: 1920s.

18 MR. COOPER: -- 1920s, and then the  
19 debris started to show up in the 1940s.

20 MR. DE WITT: '40s and '50s.

21 MR. COOPER: Mm-hmm.

22 MS. PASSERO: The Army knew about it?

23 MR. COOPER: Short-term memory. I can't  
24 comment.

25 MR. YOUNGKIN: Wooden crosses and wooden

1 stones and it all rotted away and the Army just forgot  
2 about it, I guess.

3 MR. COOPER: Okay. So that's the clean  
4 closure alternative, and then this is the sub-  
5 alternative 5A where we would try to shave off the --  
6 these are the wings, by the way.

7 These are what we're defining of the wings  
8 in the landfill, these kind of long skinny parts in the  
9 ends that are kind of outside the cemetery boundaries  
10 that theoretically are kind of in a different -- in a  
11 different -- can be managed differently because, you  
12 know, this whole risk of exhuming a body becomes less  
13 likely out here than here.

14 Under this particular alternative, we  
15 would dig out this section, clean close here, try to  
16 clean close here and here, and that -- when we clean  
17 close, we take the waste and haul it off-site, and no  
18 consolidation here.

19 It's just -- then the cap would just get  
20 built over the top of the central portion of the  
21 landfill.

22 So do you understand the difference?  
23 Where we consolidate, we push waste here. That was  
24 under alternatives 2 and 3, and then this one, we -- we  
25 actually dig out and clean close the wings, so

1 consolidate the wings or clean close the wings.

2           So here's these timetables where we  
3 analyze the different types of alternatives, and these  
4 are the rational criteria. These are the ones, if we're  
5 going to select one, they have to say -- needs to be  
6 kind of an affirmative conclusion on this, and basically  
7 all of our alternatives except for the no action, which  
8 we know is going to be a losing proposition, but all of  
9 these meet the threshold criteria to some degree.

10           So theoretically any of these alternatives  
11 pass the threshold criteria. Some pass better than  
12 others, but they all pass.

13           Here's the balancing criteria. So if all  
14 four of these pass, that means they're in the works for  
15 the balancing, you know, criteria back and forth, and  
16 this is just a short summary.

17           Again, when I said that table 9-1 and 9-2,  
18 this is a little one-page thing of a table that's  
19 actually like fifteen pages long.

20           So if you wanted to get into the details  
21 of when we say none here and for the permeable cover  
22 effective, but could encounter some human remains for  
23 the short-term and long-term effectiveness, we provide a  
24 lot of explanation of what that means in the feasibility  
25 study itself.

1                   So basically for effectiveness amongst  
2 these alternatives, they're all effective. That means  
3 they all can be protective of human health. The clean  
4 closure is the most likely to encounter the human  
5 remains, so that's something for us to consider.

6                   Reduction of TMV is toxicity, mobility and  
7 volume, and of the landfill itself, and most of these  
8 really don't -- you need to actually do treatments when  
9 you dig, you -- you know, you have to actually be  
10 treating the hazardous substances to get a real credit  
11 on this, so that -- that particular criteria doesn't  
12 come into play too much.

13                  Implementability is pretty straight-  
14 forward. They're all implementable. Clean closure  
15 would be a lot harder to do because of the human  
16 remains, and this is the summary of the estimated costs  
17 for each one.

18                  Clean closure at 4.8 being the most  
19 expensive and then the other -- the other three pretty  
20 much in the same -- same ballpark with permeable cover  
21 alone being the cheapest and then alternatives 3 and 5  
22 pretty much being the same.

23                  Mm-hmm.

24                  MR. BUDROE: Let me ask a question about  
25 the probability of hitting human remains, which one of

1 the alternatives.

2 Would it be fair to say that 4 might be  
3 more likely, but you have no real guarantees that you're  
4 not going to wind up being -- having problems along  
5 those lines with 2, 3 and 5 that -- you can't really  
6 know until you actually start the work?

7 MR. COOPER: We can't really know, right.  
8 That's why I say more likely and less likely. That's  
9 about all we can really say at this point.

10 MR. BUDROE: So you could run straight  
11 into trouble with 2, 3 and 5 potentially?

12 MR. COOPER: As far as hitting human  
13 remains? Yes. It could happen.

14 I would think -- my guess if it does  
15 happen, it would be we would hit fewer bodies than a  
16 clean closure, obviously, you know, going right into the  
17 core and center of the cemetery area.

18 Yeah.

19 MR. O'HARA: Assume that you selected  
20 choice number 4 and you took it down to the level of the  
21 cemetery and you didn't have problems with human  
22 remains. You just took it down to cemetery level.

23 By virtue of getting to cemetery level,  
24 would you have a change in use? In other words, would  
25 you have to then respect the cemetery that is there and

1 change the use?

2 MR. COOPER: Good question. I hadn't  
3 really thought about that. You know, we're -- at the  
4 trust, we're, in fact, having a meeting next week with  
5 the Planning Department.

6 We are planning a memorial for the -- for  
7 this particular cemetery, and we're at the very early  
8 stages of designing that memorial, and so obviously they  
9 can't finish their designs or even work on the designs  
10 until we make a conclusion about this -- this -- our  
11 remedy, but I think a memorial would be integrated into  
12 whatever remedy we end up selecting, be it clean closure  
13 and/or some type of cover, and the site, yeah, it's a  
14 cemetery, but it's also in the native plant zone, as  
15 well.

16 MR. O'HARA: That's what I mean.

17 MR. COOPER: I'm assuming if we did clean  
18 close, there would still be the memorial for the  
19 cemetery, but the native plants would be integrated into  
20 that.

21 MR. ULLENSVANG: The cemetery would be  
22 there under any of these alternatives.

23 MR. COOPER: Right. He was saying if we  
24 did totally expose it, would it all of a sudden just  
25 become a full-time cemetery.



1 MR. ULLENSVANG: But there's no grave  
2 markers. You still have an unmarked cemetery.

3 MR. FREY: Could I comment on that?

4 I think if the cemetery were exposed, then  
5 the -- there would not be the option to add sand on top  
6 of the cemetery.

7 So the possibility of restoring that  
8 habitat is minimized in that site and there would have  
9 to be extra consultation with Fish & Wildlife.

10 If any of the other alternatives are  
11 chosen, sand is going to be added on top and that  
12 becomes the habitat, and we've consulted with Fish &  
13 Wildlife so far.

14 MR. COOPER: So another factor to  
15 consider on that.

16 MR. HULTGREN: These aren't related, but  
17 what happens if human remains, one or more, are  
18 uncovered?

19 MR. COOPER: I can tell you from my  
20 memory when we uncovered the ones when we did our  
21 investigations, and we had to call the San Francisco  
22 Coroner and we had a anthropologist on-site full-time  
23 during that trenching investigation, and that person was  
24 there to -- you know, because of the bone, just to make  
25 sure is it a human bone or some animal bone, and so

1 there would be some archiving of the remains and the  
2 coroner would be involved, as well.

3 MS. TRIGIANI: Craig --

4 MR. COOPER: I think under any of these  
5 alternatives, there is some likelihood -- protocols will  
6 be put in place for any remedy.

7 MR. HULTGREN: So you have to -- do you  
8 have to cause reburial of the remains and pay for it or  
9 what?

10 MR. COOPER: At this particular one, it  
11 just went to the coroner and did not get reburied.

12 MR. ULLENSVANG: I suspect the coroner  
13 did rebury. You didn't find a whole body.

14 MR. COOPER: No.

15 MR. ULLENSVANG: I think if you were to  
16 encounter a full body, some mechanism would be developed  
17 to re-intern the body somewhere.

18 MR. COOPER: Right. I guess when we get  
19 to remedy, we're going to be researching that for more.

20 In the feasibility study, there's just  
21 kind of general planning. We put a line item for that  
22 kind of protocols being prepared and the cost of the  
23 protocols.

24 MR. DE WITT: We did include body storage  
25 and that --

1 MS. TRIGIANI: That's in our budget to do  
2 that. That's in the remediation.

3 MR. COOPER: It's in the budget for the  
4 remedy of the landfill -- of this. Then, you know, who  
5 would pay for that -- that activity --

6 MS. TRIGIANI: Mm-hmm.

7 MR. COOPER: -- could be of some  
8 discussion.

9 I could talk to Jeff about that, but  
10 basically -- basically as a general rule, that is an  
11 ARAR -- that is an ARAR -- you know, the actual -- the  
12 handling of those human remains --

13 MS. TRIGIANI: Sure.

14 MR. COOPER: -- and remediation  
15 department in general has been responsible for  
16 compliance with ARARs. So we've been in general  
17 responsible financially --

18 MS. TRIGIANI: Sure.

19 MR. COOPER: -- for the natural  
20 Preservation Historic Act. So we are responsible for  
21 the costs.

22 MS. TRIGIANI: So it would have been  
23 covered in our discussions with the Army when they put  
24 this -- when the hundred million figure was agreed upon?

25 MR. COOPER: I don't know at what level

1 back in 1998, you know, what people were thinking as far  
2 as what that would cost, you know. I doubt it.

3 MR. BOGGS: It was based on a five-year  
4 review, so there wasn't a presumption that there would  
5 be any additional cleanup there at that time.

6 MS. TRIGIANI: So --

7 MR. COOPER: With the Army, right. I've  
8 got actually a slide on that on what the thinking was  
9 back in 1999 and what our thinking is now as far as  
10 costs then and now.

11 So --

12 MS. TRIGIANI: Because to Michelle's  
13 question, if they knew that there was a cemetery under  
14 there and that wasn't part of the --

15 MR. ULLENSVANG: They knew -- the Army  
16 knew in '99 -- everyone knew in '99 that there was a  
17 cemetery there.

18 MR. COOPER: Yeah. It was known.

19 MR. YOUNGKIN: They knew in '94.

20 MR. COOPER: Yeah. How -- what is new  
21 information, though, Mary, is when we trenched, we hit  
22 that remains --

23 MS. TRIGIANI: On Halloween.

24 MR. COOPER: That was surprising. We  
25 thought the cemetery was much deeper and these remedies

1 could probably be implemented without -- without so much  
2 concern about hitting a human remain as we are so  
3 concerned now.

4 MS. TRIGIANI: Yeah, okay. Thank you.

5 MR. YOUNGKIN: Didn't you decide that the  
6 bone found was in the fill itself had been disturbed  
7 somehow and transported into the fill?

8 MR. COOPER: Right, right. The mechanism  
9 for that, we don't know. Yeah.

10 MS. PASSERO: Just the CERCLA, are there  
11 efficiencies that you -- you're really following CERCLA,  
12 but you have obligations where you don't have to do --  
13 where there aren't any redundancies as far as process of  
14 complications?

15 MR. COOPER: You know, we are going  
16 through a consultation process. We've done a biological  
17 assessment that's in draft right now and going through  
18 internal review.

19 We'll be sending that out, and we have to  
20 get a biological opinion in. I mean, it's pretty  
21 much -- the process --

22 MR. ULLENSVANG: That's no redundancy.

23 MR. COOPER: There's no redundancy.

24 MS. PASSERO: There are things that are  
25 procedural. I can talk about it later, but I used to

1 work for a law firm that was a CERCLA cleanup action  
2 firm and they also had a -- native species issues, but  
3 the gist of the paper was that there are certain  
4 procedural efficiencies that you should be able to  
5 achieve, fund the substantive goal of the ESA, but  
6 you're already following the process related to the  
7 CERCLA cleanup, and I don't remember all the details,  
8 because it was several years ago, but the point is  
9 you're also trying to save money and achieve  
10 efficiencies, as well, meaning you maintain control.

11 MR. COOPER: Right.

12 MS. PASSERO: Maybe you're already doing  
13 it, but maybe it's also helpful.

14 MR. COOPER: Right.

15 MS. PASSERO: Part of it was related to  
16 biological, et cetera.

17 MR. COOPER: Right, right.

18 MR. BOGGS: There's a couple provisions  
19 under CERCLA where regulations can be complied with  
20 substantively with eliminating some of the  
21 administrative requirements, but that's actually  
22 incorporated into CERCLA already.

23 MS. PASSERO: Yeah.

24 MR. BOGGS: But I'm not sure how broad it  
25 is as far as getting into things like the NEPA or the

1 Endangered Species Act. I don't know how far it goes.

2 It's usually permitting, et cetera that  
3 gets incorporated into the CERCLA process so that you  
4 don't have to go through a separate RCRA process if  
5 that's involved in a particular site.

6 I'm not sure that you'll achieve a whole  
7 lot of --

8 MR. FREY: ESA compliance is very  
9 inexpensive.

10 MS. PASSERO: Right.

11 MR. FREY: It hasn't cost that much so  
12 far.

13 MR. COOPER: Mitigation measures are  
14 expensive, but not so much at the site.

15 MR. BUDROE: I've got a question  
16 regarding alternative 4 and restoration of native  
17 plants.

18 If you pick alternative 4, it would be  
19 more difficult to reestablish native plants because you  
20 couldn't put sand down, the sand dune sand?

21 MR. FREY: If that alternative were  
22 chosen, you'd have to re-evaluate how -- whether or not  
23 you can put the sand on top, and it was decided you  
24 could not put the sand on top, then you would not be  
25 able to establish Lessingia habitat.

1                   If it's decided you could put the sand on  
2 top, it's fine.

3                   MR. BUDROE:   Why wouldn't you consider  
4 that when you're preparing the alternatives? Is there  
5 some piece of information that you're not going to find  
6 until you actually do the excavation to determine that?

7                   MR. COOPER:   Well, if the feasibility  
8 study doesn't consider that now, I mean -- then it  
9 can't. It's draft.

10                  John, do you know if that concept about  
11 clean closure, about whether we can restore -- you know,  
12 if we do a full clean closure of the waste, whether we  
13 looked at --

14                  MR. DE WITT:   That nuance, whether it  
15 could be restored, it's not addressed at this point.

16                  MR. COOPER:   Okay.

17                  MR. BERMAN:   It's not --

18                  MR. COOPER:   Can we factor it into the --

19                  MR. BERMAN:   It's not a foregone  
20 conclusion that you can't put sand back on, because  
21 there's no tombstones. There's nothing to indicate that  
22 it's a substantial cemetery.

23                  Everything that has been looked at so far  
24 is that it's just bodies that have been covered up.

25                  MR. COOPER:   Right.



1                   MR. BERMAN:    So what difference would it  
2   make in some sense if you put a little more sand on it?  
3   I don't know.

4                   I'm not sure that it's a foregone  
5   conclusion that if you did 4, alternative 4 and you  
6   exposed the -- the cemetery, that you couldn't cover it  
7   in some way.

8                   MR. FREY:    Certainly not a foregone  
9   conclusion, but people don't like to put dirt on top of  
10  bodies.

11                  MR. BERMAN:   But the bodies already have  
12  them.  You're not going to remove the dirt all the way  
13  down to the bones, anyway.  There's dirt already there.

14                  MR. COOPER:   Yeah.  That's a good point.  
15  It's not a foregone conclusion.

16                  I think it's possible that we should  
17  probably -- if we're going to incorporate this into our  
18  future thinking that I'd have to talk about it to other  
19  departments at the trust and so on about what we would  
20  do.

21                  Yes.

22                  MS. BLUM:    I don't know -- in terms of  
23  consolidation, you're talking about building mounds.  I  
24  don't have a sense of how big these mounds might be, how  
25  high or whether they would change the way that the water

1 falls on the land or the hydrology.

2 Is that part of the consideration of what  
3 remedy you choose?

4 MR. COOPER: It was considered.

5 MS. BLUM: Is that table 9?

6 MR. COOPER: Yeah. Do you know how high  
7 up -- if we consolidated, how high up the landfill would  
8 grow?

9 MR. DE WITT: I don't remember off the  
10 top of my head. I don't want to guess.

11 After a remedy is selected, we will have  
12 to design and figure out how to move water around the  
13 landfill. That is definitely a design question, not so  
14 much choosing an alternative question.

15 MS. BLUM: Okay.

16 MS. YAROS: Craig, I didn't hear how deep  
17 the cemetery was, how deep the bodies, in general.

18 MR. COOPER: Well, we thought they would  
19 at least be six feet below nat -- the top of native  
20 ground surface, but because of this trenching that we  
21 did, now that has been called into question that there  
22 could have been some disturbance of some type that we  
23 don't fully understand that the bodies and the waste  
24 are -- have somehow commingled, and we don't know if  
25 it's -- if it's just one or two bodies or a whole bunch

1 of them, so -- I know that's not the clearest answer.

2 MS. YAROS: Is it three feet or four  
3 feet?

4 MR. COOPER: When we uncovered that --

5 MR. ULLENSVANG: I don't know.

6 MR. COOPER: Yeah. How many feet thick.

7 MR. DE WITT: At some pounds it's nine  
8 feet thick.

9 MR. COOPER: So the waste is nine feet  
10 thick. So where this ground -- ground -- so this is the  
11 top of the waste and this is native ground surface, we  
12 thought the bodies would be down here, but we've found  
13 some pieces of, you know, bodies up here in the waste.  
14 So that's the trouble.

15 MS. YAROS: Got you.

16 MR. COOPER: Yeah. As I said, state  
17 acceptance and community acceptance, we just embarked on  
18 analyzing that, so the trust has no opinion on that at  
19 this point.

20 And what the feasibility study recommends  
21 that we are recommending alternative 5B, and that's the  
22 one where we excavate and clean close the wings, the  
23 edges of the -- you know, the landfill that are on the  
24 outside. No consolidation of the waste.

25 That waste would get dug up and hauled

1 away, as you can see, excavate and dispose waste in the  
2 wings. Install a permeable cover over the central  
3 portion of the landfill where the cemetery is, monitor  
4 groundwater for a while, and of course we'd have a land  
5 use control because there's a portion of the landfill  
6 that would remain in place.

7 And the estimated cost of that one -- of  
8 our recommended alternative is 3.8 million, and that  
9 was -- I don't know what else I can say about that.

10 MR. BERMAN: Just tell me what would --  
11 the additional cost would be if you went with a low  
12 permeability cover instead of -- I mean, just a nuance  
13 on this particular choice here, because --

14 MR. COOPER: Right.

15 MR. BERMAN: -- in some sense, you've got  
16 this cemetery down there and it seems just from a -- a  
17 sort of naive perspective that it would be better to  
18 have the low permeability cover to preserve the  
19 condition of that because -- I mean, the low  
20 permeability doesn't really let anything hardly ever  
21 leak in there; right?

22 MR. COOPER: Right. Less rain water  
23 leaks in.

24 MR. BERMAN: Whereas the other case, you  
25 sort of --

1 MR. COOPER: Rain water is coming in.

2 MR. BERMAN: So you're not desecrating  
3 the cemetery, but you're allowing drafting to get in  
4 there that wouldn't be in there with the low  
5 permeability cover.

6 So it just seems to me that -- that if it  
7 were a marginal difference, there's a certain aesthetic  
8 and human aspect to the low permeability cover --

9 MR. COOPER: Right.

10 MR. BERMAN: -- which would be a little  
11 nicer.

12 MR. COOPER: Do you know what the cost of  
13 the --

14 MR. DE WITT: The delta's approximately  
15 \$400,000 to go to a low permeability cover.

16 MR. COOPER: And I've got a couple  
17 reasons on why -- why we're recommending the alternative  
18 5B, and basically as we explained in the feasibility  
19 study, we think it's the best match for the evaluation  
20 criteria and our remedial action objectives or goals.

21 We went with those -- we went to the  
22 permeable cover because right now we haven't seen any  
23 impacts to groundwater.

24 So that concept that there's contamination  
25 leaching through the cemetery really isn't -- isn't

1 indicated at this point because the groundwater has not  
2 been contaminated by this landfill.

3 So our recommendation is that the low perm  
4 cover is not necessary and that the perm cover is just  
5 fine for this particular landfill.

6 It's great because we do clean close where  
7 we can. That's our goal is to try to clean close where  
8 practicable, and so we are clean closing the wings, and  
9 we can fully restore the wing area, and it's consistent  
10 with future land use because both the clean closed areas  
11 and where we build this permeable cover can -- it allows  
12 for ecological restoration, the reestablishment of  
13 native plants there, including the Lessingia plant, and  
14 again excavation outside.

15 So it's the one with the closer potential  
16 for exposing human remains. Not a zero risk, but less  
17 likely, and it's more cost-effective than a full clean  
18 closure.

19 So that is the overview of why the trust  
20 is recommending alternative 5B, and as far as just kind  
21 of a cross reference getting back to Mary's question,  
22 the -- back in the original deal with the Army, there  
23 was 1.1 million dollars set aside for this particular  
24 landfill, and right now we're looking at a 3.8 million  
25 dollar remedy, so that is how that story goes.

1           So I know that the cost estimates back  
2 then were very difficult to put together in the late  
3 1990s, and there was a lot of fluctuation with cost,  
4 especially for landfill 8 and 10.

5           There was at one point I know earlier in  
6 the negotiations that the costs for these landfills were  
7 actually going to be a lot higher, in the four to five  
8 million dollars each range for both landfills 8 and 10,  
9 and when everything was said and done, the number for  
10 landfill 8 got pushed down to 1.1 million.

11           So that is the name of that tune.

12           MS. TRIGIANI:   Craig, at what point in  
13 the process after F/S and Draft RAP would a potential  
14 change order be entered? And by "change order," I mean  
15 going back to the Army and shaking our finger going you  
16 knew -- that's what I'm asking.

17           If we wanted to submit a change order, at  
18 what point in this process --

19           MR. COOPER:    You mean a claim? Using the  
20 word "claim"?

21           MS. TRIGIANI:   Mm-hmm.

22           MR. COOPER:    For this particular site and  
23 this particular situation, I -- what we have right now,  
24 we don't have the grounds for a claim --

25           MS. TRIGIANI:   Okay.

1 MR. COOPER: -- against the Army.

2 MS. TRIGIANI: But if we did, at what  
3 point in the process would that --

4 MR. COOPER: Wow, that would be upon  
5 discovery of the trigger mechanism to make our claim.  
6 So I've got several claims against the Army and Zurich.  
7 As soon as I discover them, in fact, the recommend of  
8 agreement --

9 MS. TRIGIANI: Have to.

10 MR. COOPER: -- for timely notification,  
11 I'm required to do that for both the Army and Zurich.

12 MS. TRIGIANI: Thank you.

13 MR. ULLENSVANG: One thing to note, on a  
14 site like this, the criteria to trigger an event like a  
15 claim is very challenging. It's becoming unforeseeable  
16 and unknown.

17 So the landfill growing is foreseeable.

18 MS. TRIGIANI: Okay.

19 MR. ULLENSVANG: Those sorts of things.  
20 So it's very difficult. You have to find some  
21 completely new contaminant that wasn't expected to be  
22 there that changes the cost.

23 MS. TRIGIANI: And an act of God would  
24 qualify as that quite possible?

25 MR. ULLENSVANG: Acts of God are called



1 out, but I don't know where they fall.

2 MS. TRIGIANI: Thank you.

3 MR. COOPER: I don't remember.

4 Any questions on landfill 8?

5 MR. BUDROE: Just the question of the  
6 chair.

7 Are we going to discuss landfill 10?

8 MR. BERMAN: We've sort of been  
9 discussing it pretty much.

10 MR. YOUNGKIN: We're scheduled to take a  
11 break.

12 Should we skip the break?

13 MS. YAROS: Skip the break.

14 MR. BERMAN: In the cost estimate --  
15 Craig, in the cost estimate, what -- what was the -- was  
16 it class II waste that -- for the clean -- the wings  
17 that were going to be clean closed, was that considered  
18 class II or class III?

19 MR. COOPER: We're looking it up. I  
20 would assume not class III. My guess would be class II.

21 Another question. We'll get back to that  
22 one.

23 MR. BERMAN: So the cost estimate is  
24 based on a reasonable guess for the portion that would  
25 be clean closed?

1 MR. COOPER: Yeah.

2 MS. BLUM: While he's looking it up,  
3 Craig, what are the top three drivers that makes it cost  
4 more than three times in '99? What are the drivers?

5 MR. COOPER: That one, I did put some  
6 thoughts together on that one.

7 The volume estimates I think have changed  
8 a little bit. We have been able to become -- we're  
9 using a much more precise way to estimate landfill  
10 volumes, and so that's one -- one reason for the change  
11 in costs is the size, the aerial extent and the volume  
12 of the landfills, and the other one is that we have a  
13 better sense of, you know, construction, excavation and  
14 disposal costs that we can actually experience, based on  
15 real experiences in the Presidio, ARAR compliance, you  
16 know, costs and things like that.

17 We've got -- we obviously have been able  
18 to fine tune our cost estimates a lot better than folks  
19 back in 19 -- late 1990s where they were just kind of  
20 basing it on their professional judgment at other sites,  
21 you know, in California.

22 So I think that the complexity and some of  
23 these ARAR compliance costs, you know, may have been  
24 underestimated back in the late 1990s, you know, than  
25 what we are now.

1           We have a better sense of, you know, the  
2 new information about the human remains. That's new  
3 information that the folks in 1990s didn't know about,  
4 and so there was an incremental cost associated with  
5 having to bring in -- you know, like I said for any of  
6 these remedies, we'll have to bring in monitors,  
7 archeological monitors, maybe anthropologists, as well,  
8 and the potential of working with the coroner if we do  
9 exhume any remains. So that's new information.

10           We've had to do some geotech studies  
11 while -- you know, and groundwater hydrology studies at  
12 both sites, especially landfill 10, which I'll get to in  
13 a minute here, but those are the ones I could think of  
14 as far as what is -- what were some of the drivers to  
15 change the cost estimate, increase the cost estimate  
16 from 1999 till now.

17           MS. BLUM:   And one the original estimate  
18 from EKI?

19           MR. COOPER:   Yeah, it was --

20           MS. BLUM:   A contractor?

21           MR. COOPER:   Yeah, but ultimately decided  
22 upon by the trust. The trust.

23           MS. BLUM:   The trust?

24           MR. COOPER:   Yeah. It was a trust  
25 decision. It was a trust decision to agree to these

1 numbers at the end of the day, and consultants really  
2 only provide information for the decision-maker, and the  
3 trust ultimately decided that that amount for landfill  
4 10 was -- at landfill 8, excuse me, was good enough.

5 MS. BLUM: Thank you.

6 MR. DEIS: I do have a question. In the  
7 financial spreadsheet that you handed out last time that  
8 we looked at --

9 MR. COOPER: Mm-hmm.

10 MR. DEIS: -- was the 3.8 number in that?  
11 Which number are you carrying?

12 MR. COOPER: For our new estimated  
13 completion cost, the 3.8 has been carried into that.

14 MR. DEIS: And the same for landfill 10?

15 MR. COOPER: This isn't new cost  
16 information. This has already been integrated into our  
17 system.

18 Ready to move on?

19 Landfill 10, okay. So this is the other  
20 one. The hospital is over here just to get you  
21 orientated to it. Sorry for the weird orientation.

22 You'll notice that north is this way.

23 You're so familiar with this site, anyway. You pretty  
24 much know what it's about. This is Lake Street and the  
25 homes on Lake Street and 15th area and so on.

1           So this blue line shows the boundary  
2 between area A and area B, so -- and this black line  
3 shows the boundary of the landfill.

4           So you can kind of see that it's -- you  
5 know, a lot of it is in area A here and then this  
6 portion of the landfill, the parking lot and that kind  
7 of flat sloping poorly, you know, degraded parking lot  
8 is in area B.

9           And I think we all know that that's  
10 between area A and B.

11           For landfill 10, these are the universe of  
12 alternatives that we looked at. Basically the primary  
13 alternatives are the same for the most part that we  
14 looked at in alternatives 8, the no action.

15           The permeable cover, the low perm cover  
16 and the complete -- the clean closure alternative.

17           Under the perm and low perm, we looked at  
18 several various kinds of subalternatives, various design  
19 options on how -- how to build a perm cover or low perm  
20 cover.

21           They're basically the same. These  
22 subalternatives are basically the same. They're each  
23 for the perm and low perm, and I'll get into those in a  
24 minute.

25           So -- and an important thing to think

1 about on landfill 10, I said that it had that steep  
2 slope, so one thing that we need to do to improve slope  
3 stability is basically make it not so steep, so that  
4 that's difference in landfill and slope terminology.

5 We have different types of slope, starting  
6 with a two to one, which you can see it's one for every  
7 foot up, you go two feet over. 2.5 to one and three to  
8 one, so when you think three to one, as you see it has  
9 a -- a less steep slope, and the two to one as the  
10 steeper slope, and that's going to be -- so all those  
11 little subalternatives have different steepness of  
12 slopes, and I'm going to describe those to you a little  
13 bit.

14 So this is an important one to kind of  
15 hang on to because we're going to talk about these.

16 All right. I know this is a little bit  
17 hard to read, but basically -- so this is the first --  
18 so 2A and 2B, this is the perm cover and the low perm  
19 cover, and then A means the first kind of design sub-  
20 alternative of how -- how we can make this landfill --  
21 how we can make it look, and this one basically has the  
22 same type slope all the way around on its edges, two to  
23 one all the way around, and John, this one would need a  
24 buttress --

25 MR. DE WITT: That's right.

1 MR. COOPER: -- in the central region.

2 So a buttress is something that is kind of  
3 keyed in and built to help support the slope so it  
4 doesn't fall in -- in a seismic event, and so John,  
5 where would this buttress be?

6 MR. DE WITT: In the central region,  
7 right below where the two to one is.

8 MR. COOPER: Between this blue line and  
9 this blue line.

10 MR. DE WITT: The full width between  
11 those two lines.

12 MR. ULLENSVANG: Craig, the buttress is  
13 underlined.

14 MR. DE WITT: The two to one is the  
15 steepest slope that can support the sand.

16 MR. BERMAN: All these cases, the  
17 foundation, if you put the buttress in, the buttress  
18 doesn't actually come in contact with the foundation or  
19 does it? The foundation for the -- for the permeable  
20 cover.

21 MR. DE WITT: The buttress would  
22 physically be dug as a geotechnical engineer was  
23 describing it to me.

24 I'm not a geotechnical engineer, but it's  
25 about twelve feet down beneath the landfill below the

1 depth of -- into the material, it kind of digs out that  
2 channel. You makes it with structured fill. You put it  
3 in to keep the landfill from sliding down.

4 MR. BERMAN: It's not actually in contact  
5 with the permeable cover at all. It's below the  
6 landfill to maintain the landfill stability. So there's  
7 actually no -- it's sort of my same question I asked  
8 about 8.

9 What's to keep the foundation from moving,  
10 the foundation of the permeable cover? Especially on  
11 the steep slope. It's just going to be dropped in there  
12 and it's going to stay there again by natural fraction.

13 MR. DE WITT: By compaction, yes, and one  
14 of the things that was shown on this slide for the  
15 sand -- the sand layer actually has a geo -- if we  
16 looked at putting structural stability inside the sand  
17 layer, because sand is much more likely to run than the  
18 foundation layer.

19 So one of the things we -- Craig probably  
20 talked about is the geotechnical strengthening of the  
21 sand layer on top of the foundation layer.

22 So that's another factor that we  
23 considered in these various alternatives.

24 MR. COOPER: Okay. So these are the --  
25 the B subalternative design options where we have two to



1 one on the sides and then the three to one, so the less  
2 steep slope in the central region, and notice that now  
3 when you go to three to one, we didn't -- according to  
4 our calculations, we didn't need to put a buttress in  
5 the central section.

6 We just basically cut it back more, and  
7 you can see it kind of goes into the parking lot area a  
8 little bit more than the two to one.

9 See where it was two to one? The edge  
10 right there, but when you cut back the slope a little  
11 bit more, see how it moved into the parking lot to make  
12 that slope angle less steep? Got it?

13 So you can kind of start to see the -- how  
14 we're balancing things around a little bit.

15 Okay. This is the subalternative C. You  
16 know, I'm going to start to crank through this. Maybe I  
17 should start and start cranking through this faster.

18 We looked at two to one here and 2.5 to  
19 one over there. This one doesn't need a buttress and I  
20 don't know if it's in everyone's interest to go through  
21 D, pin piles, which is a different way to support and  
22 stabilize a landfill in the central region with  
23 different slope options.

24 E is a 2.5 to one in the middle and two to  
25 one, so slightly less steep in the middle kind of still

1 steeper and slides, no buttress or pin piles necessary.

2 F, again no buttress or pin piles and much  
3 less -- the three to one down at the bottom and two to  
4 one in that section there.

5 And G, no buttress or pin piles, either.  
6 All slope 2.5 to one.

7 So as you can see, we went through a lot  
8 of different configurations and machinations of how to  
9 deal -- deal with that slope.

10 Now we're in the CERCLA evaluation  
11 criteria, perm cover, low perm cover. Clean closure.  
12 They're all protected. They all meet ARARs. They're  
13 all in play in the balancing criteria.

14 Again, one word descriptions of these  
15 really don't do them justice. They're all effective  
16 in -- for short-term and long-term protection of the  
17 environment and human health.

18 Again for the reduction of toxicity,  
19 mobility and volume, not really -- none of the  
20 alternatives really do a good job on that. They're all  
21 implementable.

22 The real difference here is cost. Clean  
23 closure is upwards to sixty million, whereas the perm  
24 and low perm covers are comparable with the low perm  
25 being slightly more expensive. We talked about that.

1           The trust is recommending alternative 2,  
2   which is the permeable cover over the waste, and where  
3   we will configure the slope so it's stabilized.

4           We can install the permeable cover, the  
5   foundation layer and the dune sand over the top, monitor  
6   groundwater and implement land use controls. That would  
7   be required.

8           Again, the remedy -- the full range of  
9   alternative 2 is 4.9 to 7.1, but -- and I'll get to  
10  them.

11          We actually are recommending some design  
12  subalternatives, too, and I'll get to the cost of those  
13  in a second, but in general, this is why we're -- we  
14  think alternative 2 is the best fit for landfill 10.

15          We think that if you look at our detailed  
16  analysis in those tables in the feasibility study, we  
17  think it does the best job against the evaluation  
18  criteria.

19          There's really no significant groundwater  
20  impacts identified, so the low perm cover wasn't  
21  necessary. It fits in with the future land use just  
22  fine, and it's the most cost-effective when compared  
23  against the others.

24          So as far as those design subalternatives  
25  that we're leaning towards -- we haven't made a final

1 decision on those. We're looking at 2E, F and G, and  
2 you can flip through your notes to see which ones those  
3 are.

4 We think that these three are the best as  
5 far as balancing the area A and area B land use, future  
6 land use needs, and -- and kind of the best for  
7 aesthetics and -- that -- we think that would be the  
8 best for the future land use of the site in general and  
9 would be the most acceptable to the neighbors, we hope.

10 MR. BERMAN: Roughly how many cubic yards  
11 are involved in -- if you go with this alternative 2  
12 with the slope stabilized?

13 There's going to be a lot of removal,  
14 right, so I mean --

15 MR. COOPER: A lot of reconfiguring of  
16 the site.

17 MR. BERMAN: Right. So you're going to  
18 have to move a lot of dirt.

19 MR. COOPER: Right.

20 MR. BERMAN: So is that --

21 MR. COOPER: That's a line item in the  
22 cost estimate.

23 MR. BERMAN: Roughly is that -- what  
24 fraction of the total landfill volume is that?

25 MR. COOPER: Gets moved.

1 MR. DE WITT: It ranges from 7 -- 10,000  
2 to 35,000 cubic yards.

3 MR. COOPER: Out of a total of --

4 MR. DE WITT: 140.

5 MR. COOPER: Out of a total of 140.

6 MR. BERMAN: So it could be as much as  
7 twenty, 25 percent of it that has -- and so when you do  
8 that, does that go off-site or does it remain on-site?

9 MR. DE WITT: Some of it is consolidated  
10 on the top for the sides and slopes to try to make the  
11 slopes, but we've got estimates ranging from 2,000 to  
12 14,000 yards going off-site at disposal.

13 MR. COOPER: If we can't find a place to  
14 fit it, it has to go.

15 MR. BERMAN: And that's class II  
16 material, also?

17 MR. DE WITT: For landfill 10 it assumes  
18 that the -- between ninety percent of the material's  
19 class II and ten percent is non-hazardous material.

20 MR. COOPER: So mostly class II.

21 Okay. As far as costs go, again, same  
22 type situation with landfill 8.

23 The -- the amount that was set aside back  
24 in 1999 is not matching up with the amount that we think  
25 that -- is going to remedy landfill 10, but I put here

1 for the subalternative -- even though this is the  
2 ultimate range for the universe of alternative 2, for  
3 the subdesign options that we're looking at, they  
4 actually fit into the lower end of the range for the  
5 alternative 2 remedy.

6 MR. SUTTER: Craig?

7 MR. COOPER: Yes.

8 MR. SUTTER: Yeah. The 1999 estimates  
9 and also for landfill 8, were they based upon a  
10 permeable cap?

11 MR. COOPER: Yeah. You can see the  
12 proposed remedy here is -- was control surface water,  
13 drainage. This is back in 1999. So the remedies are  
14 different.

15 MR. ULLENSVANG: I don't think it was a  
16 cap on 10.

17 MR. COOPER: Right, yeah. Just surface  
18 water control, a buttress, you know. We already talked  
19 about what a buttress is, and monitor groundwater.

20 That's what the negotiators kind of  
21 thought as a straw man remedy for landfill 10. That's  
22 where we landed, and we know that that -- this remedy  
23 cannot even be implemented at this point in time because  
24 we've discovered that it's contaminated waste that we  
25 can't leave surface exposure to, so a cap is now

1     necessary.

2                   So that's -- for landfill 10, that's the  
3     new cost driver is that now we need to put a permeable  
4     cover in and cover -- and cover the waste to prevent  
5     exposures.

6                   MR. SUTTER:     That was the same analysis  
7     done in 1999 on landfill 8, as well?

8                   MR. COOPER:     On 8, I would have to go  
9     back. We should have spent a little bit more, but on 8,  
10    in this slide, there was a proposed remedy in this  
11    slide, as well.

12                  MR. BERMAN:     It did not have a cap.

13                  MR. COOPER:     8 did have a cover, yeah.

14                  MR. BERMAN:     But it wasn't --

15                  MR. COOPER:     Again, the problem with 8 is  
16    that we found the extent was -- it's a lot bigger and --  
17    yeah. Has a bigger surface area than back in the '90s.

18                  Jim, you had a question.

19                  MR. PONTON:     I have a couple questions.  
20    Currently, there's a parking lot on roughly two-thirds,  
21    I'd say, of landfill 10.

22                  MR. COOPER:     Mm-hmm.

23                  MR. PONTON:     Was the -- I'm assuming a  
24    parking lot would go back?

25                  MR. COOPER:     Yeah.

1 MR. PONTON: Will that component -- will  
2 the parking lot use constitute a portion of an inquiry  
3 look at --

4 MR. COOPER: Yeah.

5 MR. PONTON: One question.

6 MR. COOPER: Okay.

7 MR. PONTON: And the other question is --  
8 my other question was: Does the current parking lot  
9 serve in some way to prevent infiltration through the  
10 waste and create a shadow -- it's serving as a permeable  
11 cap now, although it's in a bad state of disrepair.

12                   Is it serving to protect the waste as it  
13   is, and by removing that and putting a permeable cover,  
14   are we going to increase the likely --

15 MR. ULLENSVANG: The new parking lot  
16 would we assume be better than the existing one.

17 MR. PONTON: Right.

18 MR. ULLENSVANG: But neither is  
19 considered to be a low perm alternative.

20 Under the low perm alternative,  
21 alternative 3 that there would be a geo membrane to be  
22 placed under the parking lot as the added impermeable  
23 lower, low perm lower layer, but obviously an asphalt  
24 cover does provide some protection.

25 MR. PONTON: Right. That was the remedy



1 for landfill 8, I believe, was an asphalt cover.

2 MR. ULLENSVANG: Either soil or asphalt.

3 MR. PONTON: So my concern, not having  
4 looked at the data, is the current parking lot acting as  
5 an umbrella, and also the -- if the back parking lot is  
6 in better shape, is it going to change to something that  
7 is permeable to a hybrid, to an upper portion which is  
8 impermeable to storm water drains to a portion that's  
9 permeable?

10 MR. COOPER: Right. It will definitely  
11 be better storm water controls than our parking lot. We  
12 will, but our current landfill does.

13 MR. ULLENSVANG: If you look at the  
14 current parking lot, it's in pretty bad shape. There's  
15 pretty differential settlement.

16 MR. PONTON: I'm not suggesting that it  
17 serves as airtight or watertight seal, but it's  
18 definitely a parking lot.

19 MR. ULLENSVANG: It is a parking lot.

20 MR. PONTON: And it is sloped and it does  
21 deflect runoff in the direction.

22 MR. ULLENSVANG: Under the alternative 2  
23 or 3, there would be a parking lot on the top in roughly  
24 the same configuration in each alternative.

25 MR. PONTON: Right.

1 MR. BERMAN: In your cost estimate, is  
2 the actual construction of the parking lot included or  
3 was that something that is being paid for by the end  
4 users?

5 MR. COOPER: John, did we actually  
6 include the --

7 MR. DE WITT: Yes. We included 60,000  
8 square feet of parking to replace that.

9 MR. COOPER: So we included the pavement.

10 MR. DE WITT: Yes.

11 MR. COOPER: Just the pavement.

12 Did we include the landscape strips?

13 MR. DE WITT: Just paving.

14 MR. COOPER: We just included pavement.

15 MR. DE WITT: And that's actually the  
16 same cost for alternatives, even though, depending on as  
17 Craig said, the slope changes for different ones, but to  
18 make the cost estimates work, we used the same cost  
19 estimates.

20 MR. COOPER: Again, just because it's a  
21 line item in this feasibility study, something like  
22 that, doesn't mean that ultimately it's going to come  
23 out of the remediation budget. A lot of it is for full  
24 disclosure of the implications of a remedy.

25 MR. BERMAN: Yeah.

1 MR. COOPER: And that particular line  
2 item, I would like -- when I pin it down with the  
3 planning department, I'm going to build a foundation  
4 layer and finish the CERCLA remedy and then you're going  
5 to -- for the parking lot, you're going to put in the  
6 pavement and the landscape strips and the lighting and  
7 stuff like that.

8 So they need to get their budgets  
9 together, as well.

10 MR. DE WITT: That goes to his question  
11 by not calling the pavement a permeable -- an  
12 impermeable cover, it is no longer part of the remedy,  
13 so it could really be in the planning department's part.

14 MS. TRIGIANI: I think that's a marvelous  
15 idea.

16 MR. COOPER: Yeah. Okay. Next step, you  
17 guys have now got a draft feasibility study. Again, if  
18 you didn't get it on CD. There's a CD on the table over  
19 there. I hope, right.

20 MR. DE WITT: Yeah.

21 MR. COOPER: There's still some left  
22 there. So if you want to dive in deep into the  
23 feasibility study, you can see it's a pretty big  
24 document. You can look at it on CD if you want. It's  
25 at the trust.

1                   Barbara Janice has been on vacation this  
2 week. That's why the e-mail notification hasn't come  
3 out, by the way, because Barbara's been on vacation, but  
4 it will get there.

5                   She will send out her e-mail, and what  
6 we're going to do is at least, you know, you got to  
7 let -- get some initial feedback from you all and from  
8 the regulators about their thoughts about this -- our  
9 recommendations, but alternative 5B for landfill 8 and  
10 alternative 2 for landfill 10 with those sub-  
11 alternatives that we discussed.

12                  There's portions -- RAP number 4 is the  
13 RAP that these two sites will get incorporated into. So  
14 there's portions that we can start working on, but we're  
15 not going to start working on the actual selected remedy  
16 section until we get some -- some more feedback from  
17 folks, and we got to start thinking about CEQA, you  
18 know -- any of these kind of cover remedies are going to  
19 have a lot of common CEQA impacts that we need to start  
20 exploring, as well, and that takes a lot of work, and to  
21 be able to do the kind of stuff, we have to at least  
22 begin some preliminary thinking about designs and what  
23 kind of designs would have different CEQA impact, and we  
24 need to start talking to the neighbors that live very  
25 close to this landfill, also.

1           If everything goes right, RAP number 4  
2 will get put together at the end of this year and we  
3 hope to get it out on the streets for formal public  
4 comments in 2006 and the construction wouldn't happen  
5 until 2007.

6           Even if the RAP is signed and we need the  
7 remediation design done by 2006, it's not a project that  
8 we want to do in the rainy season. So the whole thing  
9 will get pushed to 2007 dry season.

10           MS. TRIGIANI: Craig, did you give us a  
11 deadline on when you want comments on the draft or did I  
12 miss that?

13           MR. COOPER: I have not given you a  
14 deadline. It's -- you know, I -- under CERCLA, you're  
15 not even required to comment on a feasibility study.

16           I would -- you know, just to kind of keep  
17 things timely, within thirty to 45 days would be great,  
18 because there will be some other document.

19           If you don't dive into it now, there will  
20 be some other document coming in that's going to  
21 distract you.

22           If my presentation has interested you at  
23 all, I really encourage you to dive into the feasibility  
24 study. Whether you can individually write me a letter,  
25 or as a group, write me a letter, as well.

1 MS. YAROS: Craig --

2 MR. COOPER: Yes.

3 MS. YAROS: -- are these cost estimates  
4 projected for 2007 or is that what we are now?

5 MR. COOPER: That's in -- well, it's --  
6 they're in 2005 dollars, but it's like if we were to  
7 build, you know, this project now, this is how much it  
8 would cost. So it's in current day dollars.

9 MS. YAROS: So we should assume it would  
10 be more by 2007?

11 MR. COOPER: Does it assume a  
12 construction start?

13 MR. DE WITT: No. It assumes --  
14 construction start would be 2005, and then operations  
15 maintenance costs start with following year.

16 MR. COOPER: Right. So there is  
17 inflation, you know, that happens every year. So every  
18 year the construction start date slips, the capital cost  
19 portion of the remedy will -- will grow.

20 MR. YOUNGKIN: There's contingency in the  
21 number.

22 MR. COOPER: There's contingency in the  
23 number to handle inflation.

24 MR. YOUNGKIN: Thirty percent or --

25 MR. DE WITT: These do have thirty

1 percent contingency.

2 MR. YOUNGKIN: Okay.

3 MR. BERMAN: How many years of monitoring  
4 were included in both 8 and 10?

5 MR. COOPER: To answer that question,  
6 there is a twenty percent contingency in the capital  
7 cost to handle things like inflation and unknown things  
8 and things like that.

9 Sam just asked how many years of  
10 groundwater monitoring did we assume for feasibility  
11 study costing purposes. It would be --

12 MR. DE WITT: It varies. For the most  
13 alternatives, we assume ten years of groundwater  
14 monitoring, which has a tapered effect, quarterly for a  
15 couple years, then semi-annually, then annually to year  
16 10.

17 After that monitoring continues, but it's  
18 a -- because there's a cap in place, land use controls  
19 to make sure the cap is still there.

20 For the complete excavation alternatives,  
21 we assume that groundwater monitoring would be done  
22 quarterly for three years, and after that, we notice no  
23 new change, and because wastes have been removed, no  
24 more monitoring will be done.

25 MR. BERMAN: Right. I'm just interested

1 in the -- in the preferred choice.

2 MR. COOPER: Ten years.

3 MR. BERMAN: Ten years. Is that -- I  
4 mean, if you look at experience the way this has been  
5 done in some other places, is ten years a reasonable  
6 number?

7 MR. DE WITT: Jim could probably answer  
8 that.

9 MR. PONTON: It all depends.

10 MR. BERMAN: And what about the other  
11 land use -- the other things like examining the  
12 condition of the cap and other things like that are not  
13 part of the groundwater monitoring, but presumably once  
14 you have a cap in place, you have to have some kind of  
15 program for -- for annual or -- I don't know. At some  
16 schedule of -- of the status of such.

17 Is that also on -- just for ten years or  
18 is that in perpetuity?

19 MR. DE WITT: For cost estimating  
20 purposes, we assume cap inspection occurred every year  
21 for thirty years.

22 So rent things out for thirty years, which  
23 is about the same as in perpetuity.

24 MR. BERMAN: It certainly looks like a  
25 formidable amount of work that has been done on this,



1 and there's a lot of detail to look at in the full  
2 report, but just as an overall initial comment, these  
3 are two sizable landfills that seems like the first ones  
4 that are really were sizable caps are now proposed as  
5 the -- as the preferred alternative.

6 So up until now, the -- it's been mostly  
7 the clean closure, but now we're moving away from that  
8 into a philosophy of capping, and without looking at the  
9 details and all this, there's tremendous gaps between  
10 the cost of clean closure and the capping.

11 I mean, ten million in one case and six or  
12 eight million in the other. So there's huge gaps in  
13 there, and certainly from an economic -- from the point  
14 of view of cost-effectiveness, if it works, the clean  
15 closures seem to be defeating -- effectively defeated.

16 On the other hand, this is the first time  
17 we've seen these caps now as the preferred alternative  
18 with some kind of analysis that says that in clean  
19 closures, which deep in our hearts is what we all really  
20 want because that's the one that we know will last  
21 forever and will be absolutely successful, the goal of  
22 achieving that seems ever more difficult in this  
23 presentation.

24 MR. COOPER: It's actually our second  
25 feasibility. The landfill E feasibility study also

1 recommended a cap. This is our second feasibility study  
2 recommending caps.

3 MR. BERMAN: But where the process has  
4 actually gone to construction, it's always been -- been  
5 clean closures, so our experience has been -- our hopes  
6 as a public body expressed by many of us here -- and I  
7 don't know if it's unanimous -- is what we've all wanted  
8 was clean closure for everything, but as demonstrated  
9 here and also in landfill E that the financial burdens  
10 by such a -- by going to such an action is so severe, it  
11 appears to be outside -- really outside the limits of  
12 what -- what is feasible.

13 I mean, because if you add clean closure  
14 for landfill E and 8 and 10, you're up to 25 million  
15 dollars or thirty million dollars more overrun, and so  
16 it looks like from the public's point of view, we don't  
17 have enough money to do the dream effort and now we're  
18 going for what we do with the money.

19 Is that a fair conclusion?

20 MR. COOPER: Yes.

21 MR. YOUNGKIN: Okay. We're running over  
22 time.

23 We've had a lot of discussion in the  
24 presentation already.

25 MR. BERMAN: Yeah.

1 MR. YOUNGKIN: So it seems like we've  
2 already done the second part of the discussion of the  
3 feasibility study.

4 Should we move on to the regulatory  
5 report? Jim and Bob, have anything to talk about?

6 MR. BOGGS: I don't have anything to add  
7 at this point?

8 MR. PONTON: No. Just welcome to  
9 everybody here and to the new people. It's going to be  
10 fun.

11 MR. YOUNGKIN: Any other announcements,  
12 action items?

13 The only action item I have here was  
14 comment on this feasibility study in thirty to 45 days.  
15 If anybody has thoughts. Write them up, send them in.

16 MR. BERMAN: Are we going to talk about  
17 this at all in the next planning committee?

18 MR. YOUNGKIN: We'd like to.

19 MR. BERMAN: Plus the financial burdens  
20 and the financial reporting.

21 MR. YOUNGKIN: Everybody should have a  
22 chance to skim through the document by then.

23 Anything else? Any announcements?

24 MS. BLUM: For the committee meeting, I  
25 would also very much like to talk about landfill E.

1           One thing -- Craig, this is way out of  
2 your purview, but that is such an incredibly special  
3 region for wildlife, that's a planned wildlife quarter  
4 for the trust.

5           It's in PTEMP, and just the idea that we  
6 would leave toxic waste in place where we have  
7 recreational and ecological use is, as you know, very  
8 troublesome to me and to other people, and I am  
9 wondering if the trust -- first of all, I personally  
10 feel like I need a little more breathing room on that  
11 particular remedy, and I know it hasn't gone to the  
12 public commentary stage yet, but what I'm going to say  
13 is that this would be an ideal opportunity for the trust  
14 to reach out to the community to absolutely do the  
15 visionary right thing in that particular area, which is  
16 just so incredibly special in not only Presidio, but in  
17 the Bay Area in its entirety.

18           We just never have a chance to create a  
19 watershed out of pure pipes, and I just challenge the  
20 fact that we cannot do more in terms of generating  
21 public interest and from a philanthropic -- from a  
22 visionary standpoint just the way Crissy Field occurred.

23           The money was just horrendous that came  
24 for Crissy Field and the volunteer output and the  
25 community really got behind that, so I'm just not

1 accepting the fact that we need to leave toxic waste in  
2 place and then cap it. It just doesn't make sense to me  
3 for a watershed.

4 So I just would like to suggest that as  
5 a -- maybe a different way of thinking about it, maybe  
6 give it some breathing room.

7 I know times are tough, but I think people  
8 always have money. There's a lot of money in the Bay  
9 Area for really extraordinary projects, which this is  
10 definitely one.

11 So I just put that on the table. Thank  
12 you.

13 MR. YOUNGKIN: Thank you.

14  
15 Anything else? Anyone else like to say  
16 anything?

17 The meeting is adjourned.

18 (The meeting concluded at 9:16 PM).

19 ---o0o---

20

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22

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25

1     STATE OF CALIFORNIA             )

2     COUNTY OF SAN FRANCISCO       )

3

4             I, the undersigned, hereby certify that the  
5     discussion in the foregoing meeting was taken at the  
6     time and place therein stated; that the foregoing is a  
7     full, true and complete record of said matter.

8             I further certify that I am not of counsel or  
9     attorney for either or any of the parties in the  
10    foregoing meeting and caption named, or in any way  
11    interested in the outcome of the cause named in said  
12    action.

13

14                                     IN WITNESS WHEREOF, I have  
15                                     hereunto set my hand this  
16                                     \_\_\_\_\_day of

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JULY 12, 2005

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Craig Cooper

Brian Ullenvang

Mark Youngkin

Jim Ponton

Jan Monaghan

Julian Hulgren

Jan Blum

Tracy Wright

Jerry Anderson

David Sutter

Karen Cleek

Julie Cheever

Mark Frey

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on July 12, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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## AGENDA

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1 FACILITATOR KERN: So I would like to  
2 welcome this very large crowd --

3 MS. BLUM: A dedicated crowd.

4 FACILITATOR KERN: -- to the regularly  
5 scheduled meeting of the Presidio Restoration Advisory  
6 Board.

7 Occasionally in the summer, we do have some  
8 depletion of attendees, so thank you all for being here for  
9 this meeting.

10 I would like to -- does everybody have an  
11 agenda?

12 MS. BLUM: Yes.

13 FACILITATOR KERN: And are there any changes  
14 or additions?

15 Very well. Are there any announcements?

16 MR. ULLENSVANG: Old business.

17 FACILITATOR KERN: Please.

18 MR. ULLENSVANG: A couple RAB meetings ago,  
19 we discussed having remediation maps and we had a prototype  
20 two meetings ago and people requested they be organized in  
21 different ways. So I have these to hand out and you can  
22 all take one of each. You can tell the difference easily  
23 by the title on the right corner.

24 MS. MONAGHAN: It pays to show up here.

25 MR. ANDERSON: Are they in separate files?

1 MR. ULLENSVANG: Yes. I'll give you one  
2 more of those and one more of these.

3 FACILITATOR KERN: You basically organized  
4 one is by the RAB.

5 MR. ULLENSVANG: And one by the  
6 construction.

7 FACILITATOR KERN: Great. It should be very  
8 helpful.

9 MS. MONAGHAN: Thanks, Brian.

10 MR. ULLENSVANG: Sure.

11 If anyone sees any other ways that we'd like  
12 it organized, just let me know.

13 FACILITATOR KERN: Can we change the 2005  
14 construction color from red to orange?

15 MR. ULLENSVANG: If you like.

16 MS. CLEEK: Is that for more contrast?

17 FACILITATOR KERN: No. I think this is very  
18 -- very nice. Thank you.

19 Are there any other announcements?

20 MR. COOPER: Yes. I have an announcement.

21 This is concerning a -- a glass vial was discovered late  
22 last week at the Presidio, and I have -- I meant to show it  
23 on the screen, but I have a picture of it.

24 So this was found, and also I'm passing the  
25 picture of it around.

1                   This was found in -- are you going to focus  
2   it Jim? Thanks.

3                   FACILITATOR KERN:   How big is this?

4                   MR. COOPER:    Okay.  It's about six inches  
5   long and about an inch or less than an inch in diameter.

6                   So it was found in the eucalyptus forest area  
7   near Battery Stotsenburg, and for people who don't know  
8   where Battery Stotsenburg is, since we all have these maps  
9   in front of us here, there is not a remediation site, but  
10  basically if you see where landfill 4 is.

11                  If you go due south from landfill 4, you can  
12  see some -- first, there's two buildings next to each  
13  other, and if you keep heading south from there, you can  
14  see the outline of a battery.  That's Battery Stotsenburg.

15                  MR. YOUNGKIN:   The wine --

16                  FACILITATOR KERN:   It's where the wine  
17  vendor is.

18                  MS. BLUM:    Rawhill.

19                  MR. COOPER:    Right.  So if you go to the  
20  west side of Battery Stotsenburg, the very west part of  
21  that, you know how all those batteries have soil banked on  
22  it, so it was like the embankment of soil on the west side,  
23  so -- and it was found on the ground and -- by someone  
24  doing bird watching.

25                  I haven't talked to this person.  It's either

1 a member of the public or someone who is doing a bird  
2 survey for the trust. I need that sort that point out, but  
3 the -- that person contacted someone at the trust who  
4 contacted our hazardous materials person who immediately  
5 went up there and assessed the situation and was able to  
6 collect the vial, put it in a ziploc bag, take it and put  
7 it in a drum that's called formiculite, which is  
8 sawdust-type stuff, and we immediately put it in a vault at  
9 central magazine.

10                   Unlike, you know, two years ago where the  
11 bottles -- the bottle with unknown content was mishandled a  
12 little bit internally, our protocols worked a lot better  
13 this time and it was secured immediately.

14                   And so then we took some digital photos like  
15 this one. So what my job is when I'm notified is that I  
16 take these digital photos, put some e-mail with a few brief  
17 facts, send it to Bruce Handel in Sacramento.

18                   Bruce then immediately forwarded it to some  
19 folks that are experts in this, so they can do at least a  
20 preliminary assessment just from looking at the photograph,  
21 and it's -- it did match up with known kind of like the  
22 size of the vial or ampule, as it's called, because you  
23 notice there's no cap on this particular glass vial, so  
24 it's called an ampule, a word that I learned, and so this  
25 particular ampule does match up with ampules that could

1 contain a mustard agent type chemical.

2           Because it was a potential match and it  
3 got -- according to Bruce, it got distributed to quite a  
4 few people, you know, they decided to activate their  
5 technical escort -- what's called technical escort unit,  
6 the kind of chemical -- the first responders to folks  
7 like -- the folks that came out two years ago to take the  
8 bottles last time, that same company, that's called, and  
9 the only thing that was -- you know, didn't make sense is  
10 you can tell from the photograph, the glass vial itself  
11 looked very clean. It looked like it was -- it doesn't  
12 look like something from 1942 or '38.

13           It looked like something from 2005 or 2004,  
14 but -- but erring on the side of caution and not knowing  
15 what this was, and because of the color of the liquid and  
16 the size of the ampule itself, we decided to activate, you  
17 know, the Army experts to come in, and what they did is  
18 they brought in a team and they brought in this very  
19 specialized equipment where they were able to take the  
20 glass vial and put it in a machine and basically shoot a  
21 laser through it, and so it did not break the vial up at  
22 all.

23           They were able to shoot a laser through it,  
24 and just through this kind of spectometry type work, an  
25 infrared beam looks through it, and the computer is able to

1 do a match through the chemical composition of the liquid,  
2 and it turned out to be methylbromide, which is a  
3 commercial pesticide.

4 So it is not a mustard agent or any type of  
5 warfare agent. It is -- it's a -- it's a pesticide that's  
6 oftentimes used to kill termites -- insects in soil and  
7 termites and things like that.

8 For example, I went to a Website real fast  
9 and learned that like when people's homes get tented, they  
10 oftentimes fumigate that house with methylbromide.

11 MR. ANDERSON: Was it usually kept in an  
12 ampule?

13 MR. COOPER: They were surprised to see it  
14 kept in a ampule like this. I don't think they were  
15 methylbromide experts, but they did say just a couple  
16 months ago in Hawaii they got called in for a very similar  
17 ampule, and it turned out to be methylbromide, also, but  
18 there was no label, no markings, nothing on this thing.

19 So that is -- I was just, you know, thinking  
20 myself, I'd like to contact the manufacturer of this, you  
21 know, chemical and say, "At least start labeling your vials  
22 so we can look down and say, 'oh, this is -- you know, it's  
23 not mustard agent.'"

24 It's one thing finding it in the commercial  
25 setting, but in a park, a former military base, our mind

1 starts going in different directions where we find ampules  
2 like this.

3 FACILITATOR KERN: It's poisonous.

4 MR. COOPER: It's still a dangerous -- if  
5 someone was to break that open and drink it or whatever, it  
6 definitely would make them sick.

7 I just started to read the MSDS sheet for  
8 methylbromide and, yeah, it's -- it's not a good thing.

9 FACILITATOR KERN: I think it's the same  
10 material that is used for the strawberry fields --

11 MR. COOPER: Mm-hmm.

12 FACILITATOR KERN: -- and it causes a lot of  
13 issues for the workers.

14 MS. BLUM: Do you think we're facing another  
15 fence issue here?

16 MR. COOPER: I -- Bob is not here, but  
17 he -- that is -- you know, the last -- that was DTSC's call  
18 last time for putting up the fence. That wasn't a trust or  
19 Army recommendation.

20 Bob hasn't -- didn't say anything about a  
21 fence this time.

22 So I think what led to the fence on the first  
23 one was not only was it the mustard agent, it was those  
24 trenches that appeared to be a warfare training area at the  
25 Inspiration Point area, whereas unlike we have walked the



1 area at Battery Stotsenburg.

2 Again, it's in a eucalyptus forest. The  
3 leaves there are that high, but we basically did a survey.  
4 Trust people immediately when we found it. We went back to  
5 the site and walked around. The Army people did the same  
6 thing.

7 We didn't see any vials on the ground,  
8 additional vials, and Bob has not talked about a fence.

9 So I personally don't think a fence is  
10 necessary. I think this is a -- you know, we can start to  
11 speculate. It's probably too early to speculate, but it's  
12 obviously -- because of the condition of the vial looking  
13 so new, I think somebody just kind of chucked it over  
14 there, and that's my -- why?

15 I need to think internally about how much we  
16 want to investigate this. We don't have private eyes to  
17 try to figure out -- but I think there's some pretty easy  
18 stuff we can do as homes in that -- maybe they've been  
19 fumigated recently.

20 There's some easy stuff that we can check  
21 into to at least get a headstart to try and put together a  
22 couple pieces to the puzzle, including talking to the --  
23 the bird watcher that found the bottle in the first place.

24 We're basically just focused on taking care  
25 of the bottle and getting it identified for the

1 investigation type work, and that was basically -- the  
2 results were just found out today.

3 So -- any questions on that?

4 FACILITATOR KERN: Very good. Any other  
5 announcements or old business?

6 Moving on, FOIA update.

7 I received a call back from the Department of  
8 Interior person. Drum roll. They are going to make a  
9 decision this Friday. This is something we've heard  
10 before. We've all heard things like this, you know,  
11 but I've never actually been called back.

12 So that was something totally -- I mentioned  
13 this to Mark last night and it -- he had a good idea also  
14 with respect to a conversation I had with Craig.

15 We may actually -- depending on the results  
16 of that request, if we actually get what we want or we  
17 don't -- if, for example, we don't get what we want, Craig  
18 has offered if we ask him questions via a letter, that he  
19 will try to answer our questions, so we may be able to  
20 instigate case studies that we may want to investigate and  
21 put in a letter and submit.

22 It's another option for us to consider that I  
23 think we may want to begin that process.

24 So that's the Freedom of Information Act  
25 request appeal update.

1 Any questions or thoughts? Dave, please.

2 MR. SUTTER: Yeah. Regarding a list of  
3 questions, when we first got into the redacted insurance  
4 policy issue, there was the presentation by the Marsh  
5 McClennan individual who works on that, and myself and  
6 George Dies put together a list of questions, a  
7 comprehensive detailed list of questions relating to both  
8 policies, the stop loss and the general environmental  
9 pollution policies, and -- so we've got the questions --

10 FACILITATOR KERN: Okay.

11 MR. SUTTER: -- if that becomes a direction  
12 to go.

13 FACILITATOR KERN: Great. I'm -- I assume  
14 we'd prefer to get the actual documents.

15 MR. SUTTER: Yeah.

16 FACILITATOR KERN: All right. Moving ahead  
17 related to the mustard gas area site that's been fenced off  
18 for a long time, at our last committee meeting, we  
19 discussed the idea of joining with several other community  
20 groups who have written letters to the Presidio Trust about  
21 this site that has been fenced off for quite a long time to  
22 try to move that ahead to get the Army to respond, and it  
23 has been requested that we write a letter, and so I put one  
24 together.

25 Unfortunately I did not get to a copy machine

1 in time, so my apologies, but I can read this out. It's  
2 pretty simple, and then we could either proceed, or if  
3 people would like to modify it, we can certainly do that.

4 But I thought I would just read it and see  
5 what people think.

6 It would be addressed to Craig Middleton.

7 "Dear Mr. Middleton, we are writing to you today to express  
8 our concern regarding delays in the Army's response to the  
9 site new fenced and known as the mustard gas site. We have  
10 worked diligently with the Presidio Trust to urge the Army  
11 to proceed with its investigation for over two years. The  
12 site remains inaccessible to restoration and public uses.  
13 We have also learned that recent discussions with the Army  
14 seem to suggest that funding may not be available to the  
15 Army even though they recognize the need to complete their  
16 investigation. We strongly suggest that this public  
17 resource warrants a timely response, that the Army secure  
18 the necessary funding and finish their work. If we can be  
19 of further assistance regarding public input on this  
20 important project, please contact us. Sincerely, Mark  
21 Youngkin, Presidio Restoration Advisory Board Committee  
22 Coach."

23 It's not highly detailed. I haven't put in  
24 things into it such as some of our suggestions have been  
25 that the trust begin the work themselves, do their

1 investigation and bill the Army.

2 I think we don't need to necessarily include  
3 that in this letter because this is for Craig Middleton's  
4 use to show that there's public urgency around the  
5 situation and that perhaps he can go to the legislators  
6 and, you know, pressure the Army in that direction.

7 Does anybody have any thoughts about the  
8 letter? Jerry.

9 MR. ANDERSON: Well, the Army's preliminary  
10 report identified three other potentially hazardous areas,  
11 and while we would like them to clean up the one area, they  
12 said there's a potential hazard here and they're not doing  
13 anything.

14 FACILITATOR KERN: That's correct. So I  
15 could also add in the other sites. Okay. I'll make a note  
16 of that.

17 Any other thoughts about this? Jan.

18 MS. BLUM: I think you said something like  
19 this site has been closed for sometime or something --

20 FACILITATOR KERN: "It's been inaccessible  
21 to restoration and public uses," and then I said we --  
22 "we've worked diligently with Presidio Trust to urge the  
23 Army to proceed with its investigation for over two years."

24 MS. BLUM: Okay. Fine. All right. Thank  
25 you.

1 MS. CHEEVER: Could you reread the last  
2 sentence?

3 FACILITATOR KERN: Surely. "We strongly  
4 suggest that this public resource warrants a timely  
5 response, that the Army secure the necessary funding and  
6 finish their work." Yes.

7 MS. CHEEVER: How about "its work"?

8 FACILITATOR KERN: Sure. Of course.

9 MR. YOUNGKIN: Should the letter be  
10 addressed to the Army or --

11 FACILITATOR KERN: Well, obviously the Army  
12 is the one that needs to be doing this. We're trying to  
13 give Craig Middleton some ammunition. I mean, so far the  
14 letters have been written to Craig.

15 MS. MONAGHAN: I think we should ask for his  
16 assistance in soliciting response from the Army, because we  
17 didn't really ask him to do anything for us yet. That  
18 should be at the beginning.

19 "We're writing you today to ask for your help  
20 to get the Army to get off the dime."

21 FACILITATOR KERN: Yes.

22 MS. MONAGHAN: The other suggestion I was  
23 going to say is at the end, maybe we should offer more  
24 details or fill him in on more information to help him  
25 pursue the matters.

1 FACILITATOR KERN: I made a few of these  
2 notes, and since they're notes not fully written out, I  
3 guess what I would like to do so it's not delayed further  
4 is type this up, send it around, see if there are any  
5 objections or additions and then with your blessing, we can  
6 have Mark forward it on.

7 Does that make sense? Dave.

8 MR. SUTTER: I would be comfortable with you  
9 incorporating the suggestions made just now, finalizing it  
10 and sending it out rather than go around again.

11 MS. BLUM: Agreed.

12 FACILITATOR KERN: Okay. Does that meet  
13 everyone's needs?

14 MS. CHEEVER: Do we need a motion, though,  
15 to do that?

16 FACILITATOR KERN: I think it would be  
17 appropriate to actually make a motion and vote on it.

18 MS. CHEEVER: Well, I move that we send the  
19 letter to Craig with minor editing changes as discussed  
20 tonight.

21 MS. BLUM: Second.

22 FACILITATOR KERN: Any further discussion?  
23 All in favor, say aye.

24 FACILITATOR KERN: Very good. Motion  
25 carries and I'll count it as one, two, three, four, five,

1 six, seven, eight, nine. Very good.

2 So I'll make the changes, send them over to  
3 Mark and on his -- our behalf ask him to send that on.

4 We're moving on to fill site 6A status, and  
5 I've asked Craig to talk a little bit about what's going on  
6 at this large excavation site.

7 MR. COOPER: Correct. I'm glad I got the  
8 computer going, because there are some photographs, and I  
9 have a handout, too. I'll do the handout right after I do  
10 this.

11 The fill site presentation is almost all  
12 photos, so I'm going to talk about three things tonight.  
13 The first up is fill site 6A. This is the only one with  
14 text, and so far we've removed 62,000 tons of class III  
15 waste, been hauled away from the site.

16 We've got approximately 10,000 more to go.  
17 So far so good. Really -- there's a couple issues that I'm  
18 going to talk about, but overall, it's been -- you know, I  
19 think as I talked about last time, last month, the  
20 contractor got off to a roaring start and has made a lot of  
21 progress quickly.

22 There is -- with truck drivers after the  
23 first couple days, there's always a little bit of  
24 confusion. They've been following the rules and driving in  
25 a safe fashion, and as you can see, we're just about done



1 pulling out all of the waste.

2 And so I'm really happy with that, and Brian  
3 Silbach of my staff has been doing a great job, been there  
4 everyday watching the contractors.

5 MR. ANDERSON: Where does the class III  
6 waste go?

7 MR. COOPER: It's going to a landfill near  
8 Half Moon Bay.

9 MR. ULLENSVANG: Ox Mountain.

10 MR. COOPER: Ox Mountain, that's correct.  
11 Right.

12 And, you know, the tenants around fill site  
13 6A have been real good. Not a lot of complaints, really,  
14 and so for being in such a high visible, high traffic area,  
15 you know, so far so good.

16 I'm happy that, you know, nobody's been hurt  
17 and it's been a good project.

18 A couple little things that have been  
19 happening that I want to talk to you about that as you  
20 know, we've been moving this very large storm drain down  
21 the corridor of the site, and there's a certain segment  
22 that we're not going to be able to remove.

23 It's not going to, you know, interfere with  
24 our restoration plans for the project, but we've got some  
25 photos of that, but we're not able to do that.

1                   Talk a little bit about the redwood tree zone  
2   in the middle of the site, the nurse's quarters over by  
3   Girard Street, the basement there added a little added  
4   complexity.

5                   We've hit some petroleum over at those  
6   nurse's quarters, as well, and the last thing -- and I  
7   forgot to put it on the list -- is there was some  
8   compounded groundwater that was released from the site and  
9   went down the storm drain and into the marsh, and I'm going  
10  to talk about all five of those things briefly.

11                  So this is the site. You know, a couple  
12  weeks ago, and it's taken from Lincoln Boulevard. So a  
13  couple things going on here. You can see the storm drain  
14  here. Lincoln is right about here, and this is the storm  
15  drain opening, and the contractor basically has set up a  
16  dam inside the storm drain where the little bit of water  
17  that's going down the storm drain right now is pooled and  
18  it's collected in this white pipe, and you can see that --  
19  this is the detour water so we can get this storm drain  
20  water, keep that flowing while they were pulling the pipe.

21                  So that's what this white pipe is doing, and  
22  it's just a temporary detour while they're doing the work,  
23  and the excavator basically would go and pick up a segment  
24  of storm drainpipe, put it over here, or you can see them  
25  laying there and you can see what they look like when

1 they're done smashing them, so that is in process.

2 Now, this is obviously looking in the other  
3 direction, so Lincoln Boulevard is over here. You can see  
4 the cobblestone wall that's been exposed, which is pretty  
5 exciting.

6 Oh, I think it was Gloria asked me the date  
7 of the cobblestone wall last month, and I had the  
8 historians look it up, and there's not an exact date, but  
9 sometime between 1915 and 1930, more probably toward the  
10 '30s, and so as you can see, this is the first little  
11 complication that I want to talk about.

12 The storm drainpipe, the alignment was a  
13 little bit -- all that -- you know, the maps that we have  
14 regarding the alignment were a little bit off of the  
15 alignment that we actually found in the field north storm  
16 drainpipe, and the alignment was a little bit further to  
17 the west than we thought, and you can see that the -- this  
18 historic building right here, which is called building 225,  
19 which was, I think, the old jail house or something like  
20 that, is just a brick building.

21 It's not reinforced or supported or anything  
22 like that, and once we started to work our way down, we  
23 actually started at Lincoln Boulevard and started to work  
24 this way. We started to see that this pipe was eight feet  
25 over to the west -- closer and digging into the bank a lot

1 more, and so we were concerned that pulling out this  
2 particular segment of pipe would undermine this entire bank  
3 and -- and cause the building to fall.

4 We have another picture kind of showing this.  
5 Oh, maybe I don't. No. Okay.

6 Well, anyway, so what we decided is that for  
7 just this segment and this segment only, the pipe will be  
8 abandoned in place and will -- we will make sure that there  
9 isn't any sediment inside, and actually it's already been  
10 inspected and there isn't, and we will use this kind of  
11 load into the concrete and plug it up and then backfill,  
12 because the new creek that's going to get built was always  
13 designed to be way over on this portion of the site, so  
14 this was always going to be just like part of the bank that  
15 was going to go down to the creek.

16 So it will get -- will be clean soil placed  
17 over the top of it. So you'll never see it. You'll never  
18 know it's there. It's just -- I'm a little frustrated  
19 because we really wanted to pull all the pipe out. The  
20 pipe was coming out cleanly.

21 We thought it was going to be a real struggle  
22 to pull out the pipe, and we just felt that it was not safe  
23 based on the alignment.

24 MR. SUTTER: Is there any --

25 MR. COOPER: Any questions on that?

1 MR. SUTTER: Is there any particular  
2 downside to leaving that particular segment of pipe in?

3 MR. COOPER: No. We talked to Mark Frey,  
4 the guy in charge of the restoration at the site. We're  
5 able to work with it. Our stream designers -- because as  
6 you know, after the remediation contractor leaves, we're  
7 bringing in a final grading team contractor that's going to  
8 do that, and they've worked on the restoration plan.

9 They've been made aware of this and they said they  
10 can, you know, work with this. In fact, I don't even know  
11 if it's causing a significant -- Mark, do you know if it's  
12 causing a significant change to their original design?

13 MR. FREY: No change.

14 MR. SUTTER: Actually, you may save some  
15 money.

16 MR. COOPER: We're getting a credit. We  
17 already told the contractor we wanted a credit. We were  
18 paying for the pipe removal by segment, and so we've asked  
19 for a credit for that particular piece.

20 MR. SUTTER: It will be a small amount of  
21 money, but it will be a credit.

22 MR. COOPER: Right. Mm-hmm.

23 FACILITATOR KERN: It's always been  
24 speculation that the Army put the pipe in the former creek  
25 bed.

1                   Can -- can you say whether evidence was found  
2 of that or not? I mean --

3                   MR. COOPER:    Mm-hmm. The pipe -- I don't  
4 think -- have we found any evidence of like creek  
5 sediments? I guess that's what we've been looking for.

6                   MR. FREY:    I scrambled around down there and  
7 I didn't see any evidence that it looks like that.

8                   MR. ULLENSVANG:   It was indicated that it  
9 was not in the native soil.

10                  MR. COOPER:   And sitting on a bed of gravel,  
11 yeah, which I guess for stability, they didn't want the  
12 pipe rolling around.

13                  FACILITATOR KERN:   Right. Has there been  
14 anywhere that did look like the former channel?

15                  MR. FREY:    Not that I've seen.

16                  MR. COOPER:   It was so disturbed is my guess.

17                  FACILITATOR KERN:   Okay.

18                  MR. COOPER:   I'll go through the rest of the  
19 photos and make sure we talk about each one on the list.

20                  Here you see an impounded area. This is from  
21 Lincoln Boulevard again, if I'm right. And this -- what we  
22 think is this groundwater that's surfacing in  
23 this -- so you can see how deep, you know, we had to dig  
24 down, way into native, and so the hole is filling up with  
25 groundwater.

1                   So it's approximately static groundwater  
2 level in this, and of course this is way too deep. You  
3 know, our final stream restoration plan is going to bring  
4 the elevation up to I don't know, here again, and so we  
5 need -- we're going to be backfilling this hole because  
6 we're way back into native, but I just didn't -- I'm sure  
7 you guys will go by the site, but there was groundwater  
8 impounded here and various little kind of check-downs that  
9 was built, and let's see if I have a -- and this -- whoops.  
10 That went twice.

11                   Okay. This is on the other side of the site  
12 now, so -- now this is standing from Girard looking west,  
13 and this is where the nurse's quarters were, so this is the  
14 flat area of the site.

15                   There are the redwood trees, and so then the  
16 creek is over on the other side now.

17                   So we wanted to show you a little bit of  
18 what's going on here. There was -- we knew that there was  
19 very large building on this segment of the site. It was  
20 the nurse's quarters, and the basements were a little bit  
21 deeper into the ground than we thought they were and that  
22 caused -- we talked about how to handle that, whether just  
23 to go after all the -- you know, the degree associated with  
24 the basements and we decided that after doing some  
25 exploratory trenching, it wasn't as much as we thought, so

1 we went after the soil -- the basements were filled up with  
2 soil and a little bit deeper, but they were -- they came up  
3 pretty easily.

4 And as we were digging up the basements, we  
5 ended up hitting some petroleum -- some fairly heavily  
6 petroleum stained areas, as well, so this is an example of  
7 the basement floor.

8 It broke up pretty easily, and here the  
9 contractor is potholing out some petroleum stained soil,  
10 and I notified Jim of this, and you can see this is the  
11 culprit on what brought in the petroleum to the site.

12 There was a fuel distribution -- fuel  
13 distribution system pipeline that fed the nurse's quarters,  
14 and that FDS pipeline is notorious for leaking and it  
15 obviously had a leak in the vicinity of the nurse's  
16 quarters.

17 So we're going to pull -- all the FDS piping  
18 was pulled out, and we were able to dig out all of the  
19 petroleum contaminated soil, as well. Let me just make  
20 sure I hit on the other issues.

21 The redwood tree zone, that aisle of redwood  
22 trees has been something we've been trying to preserve, so  
23 what we've been doing is working with Peter Erlich, who is  
24 a forester, and he's been working with Brian and the  
25 remediation contractor to set back a setback zone that will



1 make -- you know, so we don't damage the tree roots, but at  
2 the same time, going after the contaminated soil to the  
3 maximum extent possible.

4 And we've had the water trucking by and  
5 watering the trees to make sure they stay healthy, so what  
6 we've been doing, as we enter kind of the tree zone, kind  
7 of surgically digging under the tree roots, so we thought  
8 they were going right into native.

9 We thought the trees were growing right into  
10 native, the landfill and the debris from the nurse's  
11 quarters and we thought they were in this depression.

12 Well, it does look like they were growing  
13 into some fill, as well, the tree roots. So we kind of  
14 exposed that, like a wedge of soil, and there was some --  
15 underneath the tree roots, there was obviously like asphalt  
16 chunks, and we were kind of able to surgically dig  
17 underneath those and pull that out.

18 We felt like we removed the contaminated soil  
19 without anything junky sticking out and we set up a testing  
20 program on that. We haven't gotten the results back yet,  
21 but that's been our strategy for the tree zone.

22 We talked about the nurse's quarters and we  
23 talked about the petroleum, and the only other thing is I  
24 don't have a good picture of it, unfortunately. This is  
25 probably the best -- this is a very good picture of it.

1           There was a -- you can see how the  
2 groundwater is impounded, and we impounded it in various  
3 segments. A segment here and then two segments on this  
4 side before it went to Lincoln Boulevard, and the  
5 contractor had built these earthen dams here, and then as  
6 you know, this water then re-enters the pipe, you know,  
7 that goes down to Crissy Field Marsh, and so we had an  
8 earthen dam here and then we had sandbags inside the pipe,  
9 like a secondary backup dam.

10           Well, it wasn't last weekend. It was the  
11 weekend before. This earthen dam became weakened and gave  
12 way on a Saturday, and so the groundwater in -- that was  
13 being pulled back here was released and ran into the  
14 sandbags that were inside the 72 inch culvert inside this  
15 pipe and then the remaining -- the groundwater was -- went  
16 to Crissy Field Marsh.

17           So we think the sandbags held back a lot of  
18 the sediment. We -- Brian and George were notified, went  
19 to the site, went to the marsh to see what you generally  
20 will see, like a plume of sediment going in, and there was  
21 no visible sediment into the marsh, and we were not happy  
22 about the situation. There was a lot of harsh words said  
23 about this.

24           We had to notify Jim and we had some, you  
25 know, information regarding the quality of the groundwater

1 that was being impounded here.

2 Not only we had groundwater monitoring data  
3 from before we even started remediation and then we had  
4 some information regarding -- some -- some test data with  
5 water before, and it was, you know, not heavily  
6 contaminated.

7 There was a little bit of lead or something  
8 like that, all less than drinking water standards, but  
9 there was the surface water standards that were very  
10 stringent.

11 MR. ULLENSVANG: It was for several of the  
12 sites.

13 MR. COOPER: Right. Obviously we've  
14 improved our groundwater impoundment areas. Actually the  
15 remediation contractor site manager ended up being fired  
16 over this. He totally lost his job. So it was -- a lot of  
17 screaming and yelling happened as a result of that.

18 FACILITATOR KERN: Would there be any  
19 liability for the contractor as a result of this?

20 MR. COOPER: We think there is, and, you  
21 know, I'm sure attorneys would get involved.

22 MR. PONTON: They would be liable.

23 MR. COOPER: So they would go after us and  
24 we felt we could go after the contractor, if it was by the  
25 Regional Board.

1 MS. BLUM: Craig, is there extra monitoring  
2 now in the Crissy Marsh to evaluate its health in this  
3 area?

4 MR. COOPER: Not that I'm aware of.

5 MR. ULLENSVANG: That was one of the things  
6 that we were looking at. We were just told today the water  
7 was above standards, so one of the things that we were  
8 looking at was whether we should have the trust do that.

9 MS. BLUM: Okay.

10 MS. MONAGHAN: From this picture, is that a  
11 lot of water, six feet deep or three inches deep?

12 MR. ULLENSVANG: It was estimated that it  
13 was 20,000 gals.

14 MS. MONAGHAN: A lot of water.

15 MS. CLEEK: How much would have gone into  
16 the marsh?

17 MR. COOPER: We can assume all the water  
18 made it there. The sandbags would hold back any sediment.  
19 That gave way, obviously was moving with the water and we  
20 hoped a lot of it would get held back by the sandbags.

21 MS. CLEEK: Didn't you say the water was  
22 held back in different sections? That's all the water in  
23 total that we see?

24 MR. COOPER: Because on the other side of  
25 this, there's this little hill of soil. There was other

1 dams holding back water that did not break. Only this last  
2 one just in front of the outlet pipe, only this one broke.

3 MS. CLEEK: So what we see there is the  
4 total that flowed into the marsh.

5 MR. COOPER: Just this segment, yeah.

6 MS. CLEEK: How much more would you say was  
7 behind it that didn't flow in?

8 MR. COOPER: It's a bigger segment than back  
9 here. At least twice as much.

10 MS. CLEEK: Okay.

11 MS. BLUM: Is this all the water?

12 MR. COOPER: No. Freshwater, right. So  
13 there you have it.

14 FACILITATOR KERN: So Craig mentioned  
15 tonight that he wanted to spend a little time talking about  
16 building 1065. This is the site where previously there's  
17 been a removal action.

18 I asked him, because they're going to release  
19 the draft corrective action plan to us, give us just a  
20 brief on what's going on with that.

21 He's also mentioned to me that as part of  
22 their preferred remedy, they're going to use a -- a land  
23 use control, and you may remember as part of our RAP 3  
24 comments, we asked that the trust explain their process for  
25 land use controls or kind of document it. So that's what

1 the next two items are.

2 MR. COOPER: Mm-hmm. First of all, I  
3 totally forgot. I have the 1065 corrective action plan on  
4 CD in my office. Crap. I planned on handing that out this  
5 evening. I can mail it to folks.

6 MR. FREY: I can go get it.

7 MR. COOPER: If you walk into my office,  
8 it's right off to the left. If you can bring all those CDs  
9 and there's Doug's copy of the corrective action plan,  
10 also.

11 MR. FREY: Paper copy.

12 MR. COOPER: Paper copy. Thanks.

13 Okay. So I know that there's been a little  
14 bit of discussion about land use controls, and -- in our  
15 remedial action plan and there's one for this corrective  
16 action plan, as well, and I've got just a few slides to  
17 talk about land use controls, and it is not meant to be a  
18 full discussion.

19 It's supposed to be just a little tickler to,  
20 you know, give you a little idea on how the Presidio Trust  
21 plans on using, you know, what's our -- on using land use  
22 controls to basically complement remedies and to make sure  
23 that -- that people are protected.

24 So I know this is a lot of language here, but  
25 I want to break down this sentence a little bit. It's my

1 own sentence. It's not out of my guidance or anything like  
2 that, because there's all kinds of EPA guidance and DTSC  
3 guidance about land use controls, but I want to break it  
4 down and stick on this slide and break it down into words  
5 that we can all understand, but in the Presidio,  
6 administrative tools -- and that's what I want to talk  
7 about in a little bit of detail.

8 "Ensures that human health is protected by  
9 restricting uses, land uses, and activities at a  
10 remediation site in a manner that recognizes and is  
11 compatible with the remediation status of the site."

12 I know that's a lot of words and so on,  
13 but -- but basically administrative tools is basically the  
14 whole concept and land use controls is that we don't  
15 want -- if we leave some waste in place or something above  
16 the cleanup level that is acceptable for the land use at a  
17 particular site as it's zoned right now, we want to make  
18 sure that people in the future, the Presidio Trust in the  
19 future or whoever's running the Presidio park in the  
20 future, we have a permanent archive of each and every  
21 little bit that's been left behind.

22 So nothing can get lost or forgotten or --  
23 you know, so if -- if a land use changes and somebody wants  
24 to build a school or a house or something like that, they  
25 will -- they will know that they are building that school

1 or house or moving, you know, residents or students into a  
2 place where there was waste left in place, and  
3 if -- if -- you know, so it's basically a very important  
4 archive tool and notification tool.

5 So we are able to make sure that people don't  
6 come in contact with anything that's left in place in the  
7 Presidio in the future.

8 So that's the general spirit of why you do a  
9 land use control, and the administrative tools,  
10 what we're -- what we'd like to do, there's -- and this is  
11 going to be written up in a document called the Land Use  
12 Control Master Reference Report that we're working on right  
13 now, and maybe that's what we can, you know, talk about in  
14 more detail when we get into this, but there's various ways  
15 that the Presidio Trust as an agency will keep track of any  
16 change in land use or, you know, a tenant moving to a  
17 certain place.

18 Somebody wants to drill a hole in the ground.  
19 Somebody wants to -- utility crews want to put in a utility  
20 line in a certain place.

21 Before anybody can do any ground disturbing  
22 activity, before anybody can change a land use, before  
23 anybody can move anyone into a building, there's these  
24 administrative groups.

25 One's called NSCARE. You know, we also have



1 a dig permit, but there's these -- these processes within  
2 the Presidio Trust, and part of that process that -- that  
3 the land use control -- our land use control management  
4 plan will be checked to see if there's any remediation land  
5 use control for that particular site.

6 So that's the general idea, and the Presidio  
7 Trust, again we're putting together a land use control  
8 document, and it's just for area B, the portion of the  
9 Presidio that the trust is working on.

10 We're working on this particular document,  
11 and the purpose, you know, is to identify remediation  
12 sites, and sometimes it's not the entire remediation site.  
13 It can be a portion of it.

14 Oftentimes a small portion that have a land  
15 use control, and then the document will give a full  
16 explanation of what are land use controls, when are they  
17 necessary, what are these administrative controls and  
18 groups that we're going to use inside the Presidio to make  
19 sure that we're tracking these things and what are the --  
20 what are the processes we're going to use to enforce and  
21 track them.

22 Not only is it going to be a paper document,  
23 but of course it's going to be available to the public.

24 We also plan on putting the essential  
25 information on a -- on a Web based system, so project

1   proponents down the road can be able to zoom in on the  
2   Presidio and -- and do a GIS -- I don't know if you're  
3   familiar with that term. A GIS can do a land use control  
4   to see what's on the adjacent property.

5               Our strategy is no land use controls. You  
6   know, we have a preference for not only clean closure, but  
7   for cleaning up to what we call -- what DTSC calls  
8   unrestricted cleanup levels, and so what unrestricted  
9   means, generally means you've met residential cleanup  
10   levels, and I think we've talked about the cleanup level  
11   document, and there's a column there for residential  
12   cleanup levels.

13              So even for sites -- for example, at Baker  
14   Beach 3, the land use there is recreational. We -- and the  
15   Presidio Trust, we chose to clean that site up to meet  
16   residential cleanup levels.

17              We didn't have to. We chose to do that,  
18   because we -- wherever practical, we like to go for the  
19   full, you know, residential cleanup, and there's certain,  
20   you know, advantages to that because then there's -- it's  
21   unrestricted use to that.

22              There's no land use control document that  
23   needs to accompany that, and part of our rationale to do  
24   that, to go for that extra step from recreational to  
25   residential at many sites -- I'm not going to say all, but

1 once you decide you're going to start digging, to go that  
2 extra step usually is not that much more money or effort  
3 for us.

4 So that's why we generally like to go for  
5 unrestricted, because once something's unrestricted, nobody  
6 has to remember whether that piece of property is clean.  
7 Unrestricted clean.

8 But in certain situations where -- where we  
9 cannot make unrestricted cleanup levels, then that site or  
10 portion of the site will get documented as a land use  
11 control area, and land use controls -- you know, generally,  
12 you can't use them alone.

13 You just can't say, "Oh, that contamination's  
14 sitting on the ground. I'm not going to worry about it."  
15 That's land use control. That's not how it works. You  
16 can't do that.

17 I mean, if it succeeds, you know -- if it's  
18 in a recreational zone and it exceeds recreational cleanup  
19 levels, you can't say, "We're just going to write a piece  
20 of paper and deal with that." It has to be -- the exposure  
21 has to be cut. Either you dig it up and haul it away or  
22 you have to cover and break that exposure pathway.

23 And so basically they're used in conjunction  
24 with cover remedies, land use controls. So there's -- the  
25 exposure pathway has been broken, but the land use control

1 makes sure that you don't go through that cover and re-  
2 expose the contamination again and reopen that exposure  
3 pathway.

4 FACILITATOR KERN: Question.

5 MS. MONAGHAN: You can also have fences for  
6 land use control.

7 MR. COOPER: Correct. That is an avenue.  
8 We're not going in that. The trust -- we're going  
9 toward -- if we are going -- again, we don't try to use  
10 them, but when we are going to use them, it will be more of  
11 a cover remedy in conjunction with the paper administrative  
12 land use control. Yeah.

13 But some facilities go with fences and we're  
14 not -- we're not going to be big on fences at all.

15 MR. PONTON: Groundwater contamination, too,  
16 there will be a lot of land uses.

17 MR. COOPER: Yeah. For where we feel that  
18 groundwater contamination may be persistent, we would  
19 control that, as well.

20 So -- and I think, you know, you guys are  
21 probably wondering, oh, land use controls, the Army was  
22 proposing those a lot and so on, so I sat down and thought  
23 through my head where -- what's the universe?

24 And on -- where are land use controls, where  
25 we think we're going to use them right away and where they

1 might be proposed or have already been proposed for the  
2 future.

3           So already we know that we're going to have  
4 some land use controls LTTC soil. That's where we talked  
5 about that type soil. That's the soil that the Army  
6 burned, petroleum contaminated soil that the Army heated up  
7 and cleaned up, but it didn't clean up all the way,  
8 basically, and the Regional Board under their order,  
9 basically when we -- under their old order and under their  
10 new order to us said okay. You can keep this type soil at  
11 the Presidio, but there's certain rules about where it can  
12 be buried and how it can be buried and so on, and those  
13 rules basically are land use controls.

14           So, for example, one of the rules is this  
15 type of soil can't be within fifty feet of a stream or  
16 waterway. Another rule is that it has to be covered by at  
17 least eighteen inches of clean soil.

18           So those type rules, just so -- you know,  
19 what we did is we mapped out all the places that the Army  
20 placed this type soil and then we want to make sure that  
21 those rules that are in the Regional Board order are being  
22 complied.

23           And so it's a way that nobody kind of forgets  
24 where this soil is located and to make sure that we have,  
25 you know, a periodic inspection program that those rules

1 about this soil are being complied.

2 Okay. 923/937 area is down in the Crissy  
3 Field operable unit. It's an area that the Army cleaned up  
4 under the Crissy Field operable unit in 1990s.

5 They did not meet -- they did the cleanup and  
6 it was a complete cleanup, but they didn't take the cleanup  
7 all the way to residential cleanup levels.

8 They did the cleanup and took them to  
9 recreational cleanup levels, which is fine, because that  
10 portion of the Presidio is in a recreational area, but, you  
11 know, the downside, quote unquote, is that there's now a  
12 land use control plopped on those buildings that  
13 aren't -- that says you can't put a school in there. You  
14 can't let people live in there because the soil was only  
15 cleaned up to allow recreational use.

16 Okay. You kind of getting the idea? Yeah.

17 MR. HULTGREN: How does someone who wants to  
18 do something with -- in a certain place find out whether  
19 that land is subject to a control or not?

20 MR. COOPER: Right. That's a good -- for  
21 example, 9 -- this is -- this is what -- the trust is  
22 calling our project the West Crissy development area, and  
23 there was a lot of -- not a lot. A little bit of publicity  
24 when we did our request for proposals, and so that -- at  
25 that point in time, you know, we had an open house and I

1 had a flyer that I handed out to all the folks that were  
2 going to come and -- come up with proposals on, oh, at  
3 building 923, I want to do this.

4 So they knew that there were certain  
5 restrictions that they couldn't put in apartments or,  
6 you -- you know, or have a school, a sit-down school there;  
7 that it was basically for recreational uses, and as you --  
8 I think a lot of people -- I know Jan knows a little bit  
9 about the potential tenants for those buildings now are all  
10 kind of in a recreational type tenant or commercial type,  
11 you know, activity areas.

12 MR. HULTGREN: What about twenty, thirty  
13 years from now when you're not here anymore, let's say?

14 MR. COOPER: Right.

15 MR. HULTGREN: Is there a -- does anyone who  
16 wants to do anything have to go to a clearing house and  
17 find out whether the land is subject or not?

18 MR. COOPER: That's a good question. Once  
19 we get this Web based system going, you know, I --  
20 definitely we want to use it internally, but we've actually  
21 thought about letting -- when we send out these invitations  
22 for bid, let people put a link there and they can look and  
23 see our land use controls, you know, so the public could  
24 see it in advance, just anybody could see it. So  
25 that would be, you know, one way of it being kind of

1 permanently archived and getting the word out. So people  
2 won't forget.

3 MS. BLUM: When you're mapping this, though,  
4 you're using imaging rather than like a building number 937  
5 which 25 years from now could be history just like so many  
6 buildings are. Building 937 may not mean anything because  
7 it's gone like so many of the sites that we have.

8 So you're doing a topography --

9 MR. COOPER: Absolutely.

10 MS. BLUM: -- and a pinpointed mapping  
11 system that can be used.

12 MR. COOPER: This is like a name that we  
13 gave that particular area. If you pull up that  
14 documentation, there's maps and our GS system, we actually  
15 made survey corners, as well, survey corners so that people  
16 can -- can -- that helps archive where in space the land  
17 use control zone is located, and we oftentimes will use  
18 easily identified like, you know, Mason Street corners, you  
19 know, and we're trying to be smart on trying to come up  
20 with really easy identifiable, you know, locations, so that  
21 when you're out in the field, you can kind of say oh, yeah.  
22 Yes, our land use control zone here. A tenant is coming  
23 out and wants to know where that is, yeah. So we're using  
24 that kind of easily identified areas and surveying.

25 Okay. So -- oh, and these two basically were



1 Nina Larson from my staff lead based paint cleanups, and at  
2 those two buildings, she basically chased some lead  
3 contamination and it started to peter out.

4 It was getting fairly low, but her last  
5 sample was just above the cleanup level, and it went  
6 underneath the sidewalk, and it was a brand new sidewalk,  
7 so we left it there.

8 Now, there's little situations like that  
9 where, you know, we're tracking.

10 So this is the site that we know about for  
11 sure that will get documented in our land use control  
12 management plan, and these are ones that have been proposed  
13 for the future, and this is the one that was in RAP 3, and  
14 it was proposed by the trust and we are -- under  
15 reconsideration. We're taking a look at your comments.

16 I know my presentation time shouldn't go on  
17 too long, but let's save that one for another day, but we  
18 are taking a look at a clean closure remedy and costing  
19 that out, as well, for this one. That's why it's under  
20 reconsideration.

21 Obviously any landfill site that's capped,  
22 again these are just at feasibility study stage. So I'm  
23 not saying for sure they are going to be capped, but that's  
24 what the Presidio Trust feasibility study has recommended  
25 for these three landfills. So whenever you cap a landfill,

1 you have to have a land use control on it.

2 So again, as I said, at building 1065  
3 corrective action plan, there's -- there are two zones  
4 there. I think it makes a lot of sense to have basically a  
5 cap with a land use control zone, and when we talk about  
6 the 1065 cap, I'll explained the rationale and my thinking  
7 behind that.

8 The commissary PX site, which was a -- it's a  
9 corrective action plan. We sent out a draft last year.  
10 The trust is in the process of rethinking that proposal and  
11 there's a good chance -- basically based on, you know, RAB  
12 comments, we're rethinking our remedy and will not only get  
13 RAB comments, but we got, you know, the whole story of the  
14 Crissy Field Marsh expansion change in the middle of that  
15 document, so it made us rethink our remedy there, and there  
16 could be a cap remedy for commissary PX, which will have a  
17 land use control, and fill site 6B, which is that big  
18 amorphous fill area.

19 So that's what we're thinking at this point  
20 as far as the universe of land use controls. You know, it  
21 could expand and shrink.

22 Another thing you can get out of land use  
23 controls there. If down the road we decide this sidewalk  
24 was broken or something, we would know. Let's take the  
25 last little bit of lead out of that, and then that land use

1 control could be taken out of our plan.

2 Not only is our plan about how to enforce  
3 land use controls, but it also has a section on how to get  
4 out of the land use control, so down the road, he can even  
5 narrow this universe, as well.

6 Okay. And we can talk about this more. I  
7 know this is just a very brief introduction, but I do want  
8 to, you know, keep working on this document, so if you want  
9 to talk about it in more detail at a committee meeting or  
10 if you want to wait until the draft document comes out, we  
11 can handle it then.

12 Okay.

13 MS. MONAGHAN: Can we get copies of those  
14 slides, please?

15 MR. COOPER: Yes. In fact, here's my  
16 handout.

17 MS. MONAGHAN: Great. One of the things  
18 that I understand about land use controls is you have to  
19 continue monitoring as far as there's use controls.

20 MR. COOPER: The remedy -- well, we'll have  
21 to -- if the remedy -- for a cover remedy would require the  
22 monitoring. The land use control itself, that's just the  
23 administrative check-in, mapping, stuff like that. The  
24 monitoring would be required as part of the required remedy  
25 of a cover remedy.

1           So a land use control itself does not require  
2   monitoring other than basically are you keeping your land  
3   use control management plan up to date, and in fact every  
4   year I have to write a letter to Jim and Bob saying: "We  
5   are keeping it up-to-date. This is how we're doing it, you  
6   know, and you can come and inspect our -- our program."

7           MS. MONAGHAN:   And what's the timeline on  
8   that? As long as --

9           MR. COOPER:   In perpetuity.

10          MS. MONAGHAN:   If the trust would go away,  
11   who would assume that responsibility?

12          MR. COOPER:   Our land use control plan talks  
13   about that, as well. If the trust goes away and let's say  
14   -- well, the new landowner would assume the responsibility  
15   --

16          MS. MONAGHAN:   Okay.

17          MR. COOPER:   -- and we would go down and we  
18   would notice our land use control management plan on the  
19   deed.

20                 Let's say God forbid the land goes private.  
21   We would have to go down to the City Recorder's office and  
22   put a notice on the deed so the new owner knows that's  
23   incumbent -- as the new landowner, it's incumbent on them  
24   to keep the land use control management plan going. Yeah.

25                 Okay. Keep going. 1065, my handout does not

1 have the best -- I sort of ran overtime, but basically I  
2 sent out the e-mail on the 1065 corrective action plan.

3 If you remember that e-mail, I attached a PDF  
4 with the executive summary, so this is a -- meant to be a  
5 brief executive summary of the executive summary, and when  
6 Mark comes back, I'll obviously owe him dinner or something  
7 like that. We've got this document on CD and so you can  
8 take the entire corrective action plan home with you  
9 tonight.

10 So briefly 1065, we haven't talked about it  
11 in a while, so just to kind of get you familiar with it. I  
12 know this is not the best map. Here's the -- we're located  
13 -- here's the main post, and we're located right here.

14 If you take Graham Street down and hit  
15 Lincoln, here's fill site 6A right here, and that jiggly  
16 blue line is fill site 6B. That's the big amorphous site,  
17 and 1065 corrective action plan here is this brown here.

18 So it's on -- bounded by Borgus and Thornburg  
19 and, you know, Swords to Plowshares' building is right  
20 here, and so kind of an older commercial use area -- not  
21 commercial, but older kind of an industrial area by the  
22 Army, and it got put under Jim's program because primarily  
23 -- primary uses and sources of contamination  
24 in -- in this area were mostly petroleum and -- thank you,  
25 Mark. Let's hand out the CDs after the presentation.

1                   So as you can see, these are the primary --  
2   the sources of contamination in the 1065 area. It's not  
3   just building 1065. Notice it's an area that covers  
4   several buildings, and a pretty large little area of the  
5   Presidio area there, and so this is all of the major  
6   sources of contamination that are inside that area.

7                   So the fuel distribution system, we talked  
8   about that. It leaks a lot. ASTs are above ground storage  
9   tanks. USC, underground storage tanks. You know, various  
10  miscellaneous sources, and by far the primarily petroleum  
11  stuff.

12                  So inside the -- this particular study area,  
13  the Army did some cleanup work in the past, in the 1990s,  
14  and the trust did a little bit more.

15                  We call these interim actions, you know.  
16  Basically any type of cleanup that happens before the final  
17  kind of corrective action plan, we call them interim  
18  actions or previous corrective actions.

19                  So that kind of gets you a rundown. So a lot  
20  of the -- you know, a lot of the hot spots have already  
21  been removed basically from this site. There are a few  
22  left, but a lot of the hot spots, all the tanks have been  
23  pulled, you know.

24                  When the tanks are pulled, a lot of the  
25  grossly contaminated soil was pulled out, as well. Brian

1 knows the details a lot better than I, but I just wanted to  
2 at least kind of highlight that. A lot of cleanup in this  
3 area has already happened.

4           Again, this is not the best, you know --  
5 these maps are hard to read, but this shows -- that orange  
6 area of that brownish area that I showed you before, this  
7 outline shows the 1065 area, and the pink and purple areas  
8 basically show where there was potential sources of  
9 contamination or where there was previous corrective  
10 actions.

11           So I want to focus your attention. Basically  
12 this is building 1063. There was a lot of soil  
13 contamination there, and the trust just last -- I'm losing  
14 track of time. Last year or the year before, we did an  
15 interim action at this building and dug out a lot of  
16 petroleum contaminated soil.

17           But you can see other miscellaneous areas  
18 where the Army may have worked, as well.

19           So also -- yeah. But basically for the  
20 residual contamination, so then the trust -- we did soil  
21 sampling through this entire area, based on a soil sample  
22 plan approved by Jim, and we basically investigated each of  
23 these pink and purple areas to see how much residual  
24 contamination is left, and we basically found that -- and  
25 we compared that data against our cleanup levels, and we

1 found that there was basically three areas where cleanup  
2 levels were exceeded, and we called those areas remedial  
3 units, but it's basically areas where the soil is still  
4 contaminated.

5 Area A is here. This blue line area here,  
6 this kind of squiggly looking blue line. We call this area  
7 A. Area B is this -- underneath this large parking lot  
8 here.

9 I wish I had an aerial photograph, but fill  
10 site 6A is here. This is Girard Street, and these are the  
11 Swords to Plowshares building, and behind that is the  
12 parking lot.

13 And so we found low level contamination in  
14 the soil underneath the parking lot, and we found basically  
15 a hot spot still remaining here in area A of petroleum and  
16 here we found low level petroleum with some low level  
17 metals underneath the parking lot, and then our last little  
18 area where there was residual cleanup levels what we call  
19 remedial area C is right under the foundation of building  
20 1040.

21 So that's what's left inside this particular  
22 remediation site, still above cleanup levels.

23 This just gives a brief summary of what our  
24 remedies are. For remedial unit A, which is located in  
25 building 1063, we're recommending that we do clean closure



1 there. We excavate and do off-site disposal of the soil.

2 For areas where we're digging up against the  
3 foundation where we're having trouble getting the last  
4 little bit, we will inject in situ oxygen release product  
5 to kind of bioremediate that last little bit, and even with  
6 the clean closure remedy, we need to do some groundwater  
7 monitoring.

8 So for area A, we're recommending excavation,  
9 a clean closure type remedy. We think this makes the most  
10 sense. It's still a significant hot spot. We've got  
11 some high levels of petroleum there that we need to go  
12 after. Those high levels are impacting groundwater, so  
13 we've got some groundwater contamination there, as well, so  
14 as we've learned as other petroleum sites, where  
15 groundwater's been impacted, you got to dig out the soil,  
16 as well, and that's -- that's the best and quickest way to  
17 handle the situation.

18 And building 1063 is where the trust is going  
19 to build their water recycling plant, as well, and so we're  
20 actually going to get some financial assistance from the --  
21 the people building the water recycling plant because to  
22 get after that last little bit of contamination that's gone  
23 basically underneath building 1063, that's a historic  
24 building, and so it's not easy to dig up contamination  
25 underneath, but because the concrete's going to get broken

1 to put in the water recycling plant, the folks from the  
2 water recycling plant are going to try to help us take off  
3 the roof and deal with the issues of the building so we can  
4 get in there and effectively go off the soil contamination,  
5 and so this clean closure area remedy for RU-A is \$526,000.

6 The corrective action plan talks about  
7 including capping and so on, but capping is generally not a  
8 good idea where there's such a significant groundwater  
9 impact.

10 Okay. For RU-B, that was the one underneath  
11 the parking lot behind Swords to Plowshares. Sorry for the  
12 font, and I know the font in your handout's not great, but  
13 basically this is a pretty large area underneath that  
14 parking lot.

15 We found relatively low levels over kind of  
16 an extensive area. No hot spot. We'll find a little  
17 petroleum here, a little metal exceedence here. No kind of  
18 smoking gun where we said ah-ha, here's a spill. Here's  
19 high levels that are threatening groundwater quality.

20 Our interpretation of the data was we have  
21 this low level stuff kind of scattered, basically this fill  
22 material scattered around.

23 There could have been some old releases that  
24 have now kind of, you know, gone down to such low levels,  
25 but we think that the levels are so low that groundwater

1 does not appear to be impacted at this particular remedial  
2 unit, so it -- when you compare the costs of just, you  
3 know, fixing up the parking lot and doing a little bit of  
4 monitoring there compared to a clean closure remedy, the  
5 cover remedy made the most sense for us, for this  
6 particular area.

7 I know that you guys are going to have a lot  
8 of questions about this one, so this is to give you, you  
9 know, a heads up that we are recommending a -- a cover  
10 remedy for this particular site.

11 Let's talk about -- I know -- let's talk  
12 about that more in detail. You can ask me questions about  
13 pros and cons of going for -- the clean closure, from my  
14 memory, was about 1.5 million. I don't remember off the  
15 top of my head. A significant jump from this one.

16 MR. YOUNGKIN: Is this part of 6B?

17 MR. COOPER: It's also -- this is the tricky  
18 part. You can tell from my first map, the 1065 area is 6B  
19 and 1065 are collocated, so we -- we struggled with -- 6B  
20 obviously is going to have to have a remedy for this  
21 portion, for this area, as well.

22 We'll at least acknowledge this remedy in the  
23 1065 cap or kind of -- we haven't really talked of the  
24 details with Bob.

25 Fill site 6B is under the CERCLA program and

1 1065 is under the petroleum program, and we haven't even  
2 thought through our remedy for fill site 6B yet -- yes.

3 So to answer your question Mark, yes, fill  
4 site 6B is including this parking lot.

5 MS. BLUM: I just don't remember which  
6 parking lot we dug up last year.

7 Is this the same parking lot or a different  
8 parking lot? We dug up near 6A, near the nurse's -- near  
9 the dormitories.

10 MR. ULLENSVANG: The one that was dug up was  
11 --

12 MS. BLUM: Behind 1065 I thought.

13 MR. COOPER: Yes.

14 MR. ULLENSVANG: It was where building 1065  
15 was located. This is the larger lots to the east.

16 MS. BLUM: Which way is west?

17 MR. ULLENSVANG: Towards the archaeological  
18 site.

19 MR. PONTON: Towards the bridge.

20 MR. COOPER: That dig that we did last year,  
21 we need to do more digging. That stuff that we did you go  
22 up on 1065 has now -- it's gone under 1063, as well.

23 MS. BLUM: Can we put that on a rush because  
24 of Lucas?

25 MR. COOPER: Yes. You're right. It was

1 done on a hurry up schedule. It was done because we  
2 thought that the water recycling plant was going to happen  
3 quick, so we got Jim's permission to do that first phase of  
4 that cleanup as an interim action, and we did that as a  
5 clean closure.

6 Then we found out the water recycling plant  
7 isn't going to move quick quick. We decided not to do  
8 phase II of the interim action and we folded it into the  
9 corrective action plan. So that's the story on that.

10 FACILITATOR KERN: I'm sure I can find this  
11 out from reading, but about a half a million dollars,  
12 what's that money going for? Do you happen to know?

13 MR. COOPER: Yeah. That's what we can  
14 really kind of analyze more, too. We take a look at the  
15 asphalt parking lot and look forward to improvements. Make  
16 sure the asphalt's in good shape.

17 If there's, you know, breaks in the asphalt,  
18 it will have to be capped, as well. We'll have to fix the  
19 parking lot, and any type of landscaped areas, if we felt  
20 they were extensive or posed a risk, they would have to --  
21 there would be some remedy for that, the medians.

22 So I think the way that we're -- the way  
23 we're proposing a cover remedy is very conservative, and if  
24 you guys want to comment on -- on that, I think it would be  
25 interesting to look at.

1 I think we took a very aggressive approach on  
2 how to do a cover remedy on this particular remedial unit,  
3 so -- for completeness, I guess. That's where we landed.

4 FACILITATOR KERN: Hopefully the discussion  
5 we had was the commissary, and since it's under a parking  
6 lot, we didn't think it was worthwhile to dig up the  
7 parking lot and put the paving back.

8 MR. COOPER: Right.

9 FACILITATOR KERN: And that hopefully you  
10 could get some savings with a location like this, as well.

11 MR. COOPER: Right.

12 FACILITATOR KERN: We'll look at it.

13 MR. COOPER: That's our logic. Let's take a  
14 look -- there's a cost -- a detailed cost estimate for this  
15 remedy, and let's look at it line item by line item.

16 Sorry for the font.

17 RU-C with that little tiny one, token  
18 reminder. RAA, LUB with the parking lot over here, a RU-C,  
19 a little bit of residual contamination underneath building  
20 1040, and basically we believe it's right underneath the  
21 foundation.

22 It's a very small volume. It would be very  
23 easy to dig up if we could get access to it. We feel that  
24 we just really can't get good access for this particular  
25 set of contamination, and it does not appear to be

1 contacting groundwater, so basically this would be a cap,  
2 as well.

3 The pavement in that area is in good shape.

4 MR. ULLENSVANG: It's up to the Army to  
5 remove that tank.

6 MR. COOPER: Right. This is just a little  
7 bit of residual contamination associated with the  
8 underground storage tank vault.

9 So that's our recommended remedy, and it's  
10 \$89,000, so that is -- so for next steps, we'll hand out  
11 the CD version of the corrective action plan.

12 Just like we've done on other corrective  
13 action plans, we want to give the RAP an opportunity to  
14 comment on this document. I have to talk to Jim about how  
15 much for this, but probably similar to, you know, thirty to  
16 45 days or something like that.

17 Do you want to kind of tentatively agree  
18 on -- on that?

19 FACILITATOR KERN: If that's --

20 MR. COOPER: Where we were at the end of  
21 August.

22 MR. ULLENSVANG: You might want to point out  
23 there's something coming out this week, so there will be  
24 two out there to review. You may want to stagger how  
25 they're used or give both more time or something.

1 MR. COOPER: Yeah. Definitely, yeah, the  
2 one that comes out next week we'll present at the next  
3 Restoration Advisory Board meeting, and I'll definitely --  
4 I know that one is the 207/231 area, which is I know a very  
5 important one, so we'll make sure that that one  
6 won't -- the comment period on that one will not end at the  
7 end of August. We'll definitely tack on to the end of  
8 August.

9 So let's tentatively shoot for the end of  
10 August on this one, and then when we present 207/231, we  
11 can set up the comment period for that one, as well.

12 So then, I can get any comments on this  
13 particular cap. The trust edits this and sends a final  
14 version to Jim for his management -- management chain to  
15 sign off on, and our current deadline to start construction  
16 and -- is in the middle of next year.

17 So --

18 MS. BLUM: Craig, do you have any indication  
19 where the expansion of Crissy Marsh is going to go? Since  
20 we're all in that really, really hot area right now.

21 MR. COOPER: Yes. I have.

22 MS. BLUM: Anything you can reveal to us?

23 MR. COOPER: I don't want to misstep, but my  
24 --

25 MS. BLUM: The only reason I ask is it's so



1 key to this whole area.

2 MR. COOPER: I think I can say a focus area  
3 that they are seriously considering is the 207/231 area in  
4 general, that kind of --

5 MS. BLUM: Halleck and Borgus.

6 MR. COOPER: Right. That does not include  
7 1065 area, but it does go to 207/231, right.

8 MS. BLUM: So we'd probably like to know  
9 what the parameters are, I mean, how far -- what is it?  
10 What does it look like.

11 MR. ULLENSVANG: One thing to look at, when  
12 you're going through the cap and see, the Regional Board's  
13 order specifies the freshwater protection. It's designed  
14 to generally protect the area of Tennessee Hollow and goes  
15 down into the transition zone between Tennessee Hollow and  
16 the marsh, and take the maps for 1065, you'll see that that  
17 area does go into 1065 site area and that where some of the  
18 cleanup levels where appropriate considered those.

19 So the discussion of what the cleanup levels are  
20 for 1065, it's more complicated. It does consider it and  
21 roughly halfway across that parking lot he was just talking  
22 about.

23 MR. COOPER: Correct.

24 FACILITATOR KERN: That's what occurred to  
25 me is perhaps in that area where you want to do the land

1 use controls that maybe we would have a comment perhaps on  
2 the western end of the parking lot that we consider  
3 something.

4 MR. ULLENSVANG: That would be a comment  
5 that you could make.

6 MR. COOPER: That we don't forget that that  
7 area's been designated as a freshwater protection.

8 MR. ULLENSVANG: So 1065 tried to consider  
9 those sorts of issues when it went through and the  
10 discussion of the comparison of findings versus the cleanup  
11 levels looked at that issue. So you'll have to see whether  
12 it looked at it adequately or not.

13 MR. COOPER: Exactly.

14 MR. ULLENSVANG: But at least there was an  
15 attempt to consider that.

16 MR. COOPER: Right. The same being true for  
17 207/231 corrective action plan, we looked at the freshwater  
18 protection zone, the saltwater protection zone and kind of  
19 our inside read where marsh expansion may or may not be  
20 going.

21 MR. ULLENSVANG: And 207/231, the entire  
22 site area, because almost the whole area was -- in that  
23 area was likely to be considered for the marsh expansion.  
24 The entire site looked at for both freshwater and saltwater  
25 protection zone cleanup level. So it maintains that

1 flexibility.

2 MS. BLUM: I'm sure that Doug has given the  
3 RAP very good leadership, but I think that when you maybe  
4 learn that to do it right the first time is probably the  
5 most important thing that we can do for any kind -- err on  
6 the side of caution is I guess what I always want to say,  
7 especially where we're dealing with the expansion of the  
8 marsh and the Tennessee Hollow freshwater source and just  
9 as a real dream the idea of tapping to be near those  
10 critical areas is something that I would be very slow to  
11 accept.

12 MR. COOPER: Right.

13 MS. BLUM: So I know that we'll get good  
14 guidance on it, but that would be my concern is that we're  
15 doing parts of this again twice, that we don't want to have  
16 additional difficulties with this area.

17 MR. COOPER: Right.

18 MR. ULLENSVANG: I think that there are RAB  
19 members that want to talk about it at the committee  
20 meeting, but Craig and I would be happy to go through it in  
21 detail and help you. It's a big document. To help you  
22 find the important parts so you can read it to yourself.

23 MR. COOPER: Yeah.

24 FACILITATOR KERN: Well, I want to say that  
25 this site is important. I did try to set time on the

1 agenda. I did intentionally allow Craig to go over on the  
2 agenda due to the importance of the site, but it -- I  
3 accept responsibility for allowing that and I'll have to  
4 beat up Craig after the meeting for going over his time,  
5 but it's a -- it's an important subject and he's obviously  
6 enthusiastic about giving us all that information. So  
7 there's probably quite a bit more to talk about.

8 Let's take ten minutes and then I'll ask that  
9 we return and then we have some things to talk about on the  
10 cost tracking.

11 MR. SUTTER: Yeah. I suggest we skip the  
12 break if that would be acceptable to the group and the  
13 stenographer because we are running over.

14 FACILITATOR KERN: Is that all right with  
15 everyone? Very good. We'll move right along.

16 So for everyone, let's just take two minutes  
17 to catch everyone up on this subject.

18 We've been engaged in lot of discussion,  
19 analysis, review of the cost tracking program. I think  
20 everyone is aware of the reasons why we think that's  
21 important.

22 I've received considerable strong advice from  
23 RAB members, from a variety of different directions and  
24 perspectives. Everyone seems to value what we've been  
25 doing, the direction that we've been going.

1           As of our last committee meeting, which was  
2 in closed session, there were some very strong words and  
3 direction about where we should go.

4           After that meeting -- I've had an opportunity  
5 to talk to Craig, so I know we're going to do this. We  
6 turned off the lights and we ended up talking after that  
7 meeting for a couple of hours, and we had a good discussion  
8 regarding the cost tracking.

9           Without characterizing too much or speaking  
10 for Craig, I would say that there's a recognition of some  
11 of the deficiencies of the current status of the cost  
12 tracking, but a willingness to work with us to refine it.

13           And so what I wanted to do was step back just  
14 a moment and at least recognize where we are, how far we've  
15 come and that we do have some data that we can work with  
16 and that we are working.

17           Particularly we have a number that shows  
18 we're way over budget, and that's something that I  
19 mentioned to Craig at the time. He's talked to Craig  
20 Middleton and Jeff Dies about that situation, so they're  
21 aware of it, but they have no -- they have not huddled per  
22 se and come up with some action.

23           There are a number of strategies that come  
24 available to us to make recommendations about. If we're  
25 over the budget, one of the items, for example, that Craig

1 is considering is cutting back on the unallowable costs or  
2 having the trust take over out of the general fund paying  
3 for those unallowable costs.

4 So that if we do reach a hundred million  
5 dollars of expenditures of allowable expenditures, that  
6 suddenly the program just doesn't stop, that there is a  
7 response by the trust to come up with the funds that  
8 they've spent on the unallowable costs to bridge the gap so  
9 that we might proceed and then engage the insurance company  
10 in receiving those moneys, and that directly ties back into  
11 the other area that we've been pursuing, the insurance  
12 policy and under what conditions a claim is made and  
13 accepted and paid out and all of the things -- issues  
14 around that.

15 And so it's my feeling that Craig and Craig  
16 and Jeff now are understanding those issues and that  
17 they're of great concern to us and that we want to have  
18 discussions about those issues and begin to work together  
19 in a constructive way to look at strategies.

20 And so our primary fears and concerns are  
21 that sites will be cleaned up and then we'll run out of  
22 money and then there won't be any additional money to do  
23 the remaining sites.

24 Craig recognizes that, and there -- it seems  
25 that what we're getting into now is a recognition that that

1 cannot be the end, that there would be a strategy to, you  
2 know, proceed, and so I think that's a very constructive  
3 situation.

4 And so my recommendation -- and I want to  
5 have discussion and your thoughts about this, but is that  
6 we write a letter, perhaps to Craig Middleton that  
7 expresses our concerns about such things as the -- perhaps  
8 the growth in the budget and what the implications for that  
9 are and our concerns about what would happen and how  
10 additional money might be acquired, the insurance policy's  
11 enacted or pursued, but that we're reassured that the  
12 program will proceed, that remedies won't necessarily be  
13 reduced on the basis that we've simply just had costs  
14 growth and we've run out of money.

15 That doesn't seem to be the right way to go I  
16 think for any of us.

17 Dave.

18 MR. SUTTER: Yeah. I think it's not going  
19 to be acceptable ultimately to the public, to the trust,  
20 probably to anybody to have a situation in which preferred  
21 remedies are not accomplished because of budget constraints  
22 or to have a situation in which there's no certainty that  
23 there will be -- as the program progresses, that there will  
24 be sufficient funds to cover the basic cleanup  
25 requirements, the sites that have been identified,

1 regardless of what level they're cleaned up to.

2 Those are two scenarios that I don't think  
3 anybody is going to find acceptable.

4 However, it's incumbent upon the trust at  
5 this point to figure out how to achieve the ends that  
6 everybody is looking for and how to fund projected overruns  
7 in a hundred million dollar budget. That's the task at  
8 hand.

9 FACILITATOR KERN: Right.

10 MR. SUTTER: And there may be a variety of  
11 avenues that the trust can pursue. If it makes money, like  
12 now it's supposedly in the black and it can project that  
13 it's going to be -- by 2013 to have a hundred percent more  
14 revenue than it had projected previously, then it's going  
15 to be a pot of gold that it can tap into.

16 If that's not the case, then it's going to  
17 have to go back to Congress, to the feds to get more money,  
18 but I don't think this is a unique situation that the  
19 Presidio Trust, a former Army camp becoming a national  
20 park, I don't think that the people who created this unique  
21 concept at the federal, state, local level will accept  
22 anything less than the most environmentally attractive  
23 remedies to -- to the situation.

24 FACILITATOR KERN: I appreciate those  
25 comments, Dave. I think they -- you're right, and it seems



1 to me that what we have now is we have some projections a  
2 year ago and there's been a lot of work that I want to give  
3 Craig and Alan credit for doing and credit to us for  
4 nudging.

5 Perhaps now we have a little bit more of  
6 a -- an estimate that is perhaps a clearer picture. I  
7 think we can refine that and get even a more clear picture,  
8 but yes, I think we're all in this to see --

9 MR. SUTTER: Together.

10 FACILITATOR KERN: -- that we get the best  
11 remedies.

12 MR. SUTTER: I have one other question for  
13 Craig.

14 The May 24th estimates, Craig, both at the  
15 project level and going up to the program wide level and  
16 the projected overruns for the program, what is the  
17 accuracy of -- of those projections, those estimates? Like  
18 plus or minus five percent? Plus or minus ten percent?  
19 Plus or minus twenty percent?

20 When you do that kind of estimating, do you  
21 work to an accuracy level?

22 MR. COOPER: Right. Well, the -- as far as  
23 our projections, you know, the accuracy that we've been  
24 using are basically -- they -- as the project gets closer  
25 to remediation, I think the accuracy gets better.

1           Like at the F/S level, you know, feasibility  
2   study level, the accuracy could be, you know, plus or minus  
3   25, fifty percent, and then -- but what we're  
4   trying -- you know, it could be as high as that.

5           What we could do is to see how well our --  
6   how accurate we've been in the past is take a look at what  
7   RAPs have said and then look at actual costs.

8           That's really the best guide to putting a  
9   percentage. If you're looking for whether we're guessing  
10   high or guessing low is really I think your question. That  
11   would be the best way to take a look at that, and I have  
12   not done that. I don't think Brian has.

13           As soon as I get over the hump on the next  
14   corrective action plan, I'm going to have some time freed  
15   up with Alan for you guys to start working on that question  
16   again. I don't want you to think I've dropped it.

17           MR. SUTTER: I think that's critical.

18           MR. COOPER: Absolutely.

19           MR. SUTTER: The overall projected costs,  
20   including projected overrun.

21           MR. COOPER: Right.

22           MR. SUTTER: What level of accuracy are we  
23   looking at overall here?

24           MR. COOPER: I want everyone to know this,  
25   those are just projections. Are we projecting high or are

1 we projecting low is really the question.

2 If we're projecting low, we have even more to  
3 worry about because that means the cost overrun is even  
4 more than we think. If we're projecting high, then maybe  
5 it's not as bad as we think it is.

6 MR. SUTTER: Some of the cost elements that  
7 feed into the total projected program cost may be a five  
8 percent accuracy level. Some may be a 25 percent accuracy  
9 level, but you need to weight it -- look at that together,  
10 weight it and come than with an overall average --

11 MR. COOPER: Right.

12 MR. SUTTER: -- accuracy level for the total  
13 estimate.

14 MR. COOPER: Yeah.

15 MR. SUTTER: So that when you begin to -- to  
16 with Craig and Jeff Dies and whoever else to figure out  
17 what are we looking at as far as totally funding the  
18 program --

19 MR. COOPER: Yeah.

20 MR. SUTTER: -- that you have some  
21 confidence what it's going to be like.

22 MR. COOPER: Exactly.

23 MR. SUTTER: We need an additional twenty  
24 million. That's going to cover it. A year from now we  
25 need forty million.

1           MR. COOPER:    That's my biggest concern.  
2   We'll look at how we did at RAP 1, fill site 4, fill site  
3   5, that's been our track rate, basically. Have we been  
4   guessing high or low.

5           MR. SUTTER:   But at this point some of the  
6   costs are going to be like plus or minus 25 percent because  
7   you haven't gotten beyond -- you haven't gotten through  
8   final design yet.

9           MR. COOPER:   Exactly.

10          MR. SUTTER:   So you're going to have to take  
11   the whole thing, take the 25 percent kind of estimates and  
12   -- and averaging them against your five percent estimates,  
13   come up with some kind of an average that's workable, you  
14   know.

15          FACILITATOR KERN:   Julian.

16          MR. HULTGREN:   I don't see how you can do  
17   anything like that, giving a percentage of the plus or  
18   minus.

19          MR. COOPER:    Yeah.

20          MR. HULTGREN:   And if you do, I don't see  
21   how it's going to be any good at all because it's only  
22   another guess based upon your first guess.

23                 What you're doing, your prospective costs are  
24   your best estimate, and how can you say well, I want to  
25   estimate a hundred thousand dollars as my very best

1 estimate --

2 MR. COOPER: Right.

3 MR. HULTGREN: -- but gee, you know, if you  
4 want another estimate, I'll give you \$110,000 or \$90,000.

5 MR. COOPER: I don't think he wanted to  
6 change our estimate at completion. Just try to get a  
7 better confidence on our projections.

8 MR. HULTGREN: You can only do it as I see  
9 it by your past experience.

10 MR. COOPER: Yeah.

11 MR. HULTGREN: And if you look at your past  
12 experience, then you have some idea of -- and even that's  
13 not very good because you've had different contractors.  
14 You've had different engineers. You've had different  
15 experts. You've had different project managers.

16 MR. COOPER: Different site specific  
17 conditions that cropped up and caused change orders,  
18 mm-hmm.

19 MR. HULTGREN: But that's probably more  
20 relevant than some sort of a wild guess based upon an  
21 educated guess.

22 So I don't see where it's going to mean  
23 anything one way or the other. I want you to make a good  
24 prediction, your very best estimate --

25 MR. COOPER: Right.

1 MR. HULTGREN: -- of what it's going to  
2 cost, and that should factor in uncertainties as much as  
3 you can.

4 MR. COOPER: That's why we have, for  
5 example, a twenty percent contingency. That's our  
6 uncertainty built into our future cost projections.

7 MR. SUTTER: I don't think you're  
8 understanding what I'm saying, Julian.

9 MR. COOPER: I get the general picture, and  
10 that one I handed out last quarter and what I handed out  
11 every quarter, that's our best guess, Julian. I know it  
12 can be improved.

13 You have questions about my best guess, but  
14 we have gone through this the best of our abilities and now  
15 we need some input from you to see what we missed and what  
16 we're not thinking right, but what I passed out  
17 last -- whatever it was, two months ago, that is my best  
18 guess right now.

19 FACILITATOR KERN: I think there are some  
20 places -- and Craig and I have talked about some of those  
21 areas -- that might be vulnerable to the guessing. The per  
22 unit costs might be different than the sites that have been  
23 estimated by different contractors.

24 MR. COOPER: Yeah.

25 FACILITATOR KERN: So if we can make

1 estimates consistent, that will increase the confidence in  
2 the estimate.

3 MR. HULTGREN: Could -- could your  
4 prediction, or whatever you want to call it, could that be  
5 a spread based upon what -- what these factors are?

6 If you have certain, uncertain factor about  
7 costs of materials, that would be the high end, or if the  
8 costs of materials are as low as you expect them to be,  
9 that would be the low end.

10 Is a spread a possibility or is that what  
11 you're talking about?

12 FACILITATOR KERN: I think there is a way to  
13 address what you're getting at. I would call it  
14 sensitivity analysis, which means you begin to pick certain  
15 things and you test them with different costs and you see  
16 the swing in the whole program.

17 If I move this kind -- if I move this  
18 thing -- this line item a little bit, does it matter? If I  
19 move it a lot, even a whole bunch -- if I triple this one  
20 item and it has no effect on the overall product, I leave  
21 it alone, but small changes that produce big overall  
22 changes, that's what we want to figure out.

23 MR. HULTGREN: But wouldn't another way of  
24 looking at this issue be that you would have to take each  
25 project and then have a plus or minus five percent or plus

1 or minus ten or twenty depending upon how uncertain the  
2 elements of the project are?

3 FACILITATOR KERN: My read --

4 MR. HULTGREN: I don't know where you can  
5 get a plus or minus five or ten or twenty for the rest of  
6 what you're going to be doing. That's just guesswork, as  
7 far as I can see.

8 FACILITATOR KERN: My read on some of the  
9 sites that are viewed as difficult on cliff sites and  
10 there's some attempt in the estimating to add additional  
11 cost based on difficulty of the project.

12 So I think some of these things, they are  
13 being conservative, but there are certain vulnerabilities  
14 that different contractors have done estimating.

15 I think if we can, you know, get those  
16 inconsistencies ironed out and then do this sensitivity  
17 analysis and look at -- we may be able to group certain  
18 projects by uncertainty. These are the projects that could  
19 have wild swings; these are the ones where we're confident,  
20 and we can do that, as well.

21 MS. CLEEK: I have a question. Assuming  
22 that you can get this information that, say, the cleanup of  
23 building 1065 could go twenty percent one way or the other,  
24 then what's the next step? What are we using that  
25 information for? And, you know, how are we going to use



1 it?

2 FACILITATOR KERN: I think that -- the big  
3 picture question is the thing that we always have to keep  
4 in mind. What do we care about all this detail and sifting  
5 it down?

6 And it comes down to the -- once we get to a  
7 hundred million, then some day the trust is going to have  
8 to fund these unallowable costs, what they're spending on  
9 administration it's budgeted at twelve million dollars.  
10 Maybe it could be 9 or 10 depending if they cut back.

11 So they'll have to begin to find other ways  
12 to fund that, and then beyond that, we'll -- the insurance  
13 company is going to become more and more interested when  
14 the projections are 120, 140, 150, then they may be on the  
15 hook.

16 So it's -- just in my view what we're going  
17 to do it for is to strategize how we're going to get the  
18 money and helping the trust make sure that they can fund  
19 all these activities.

20 MR. YOUNGKIN: Or analyze the existing  
21 strategy and see if it's actually going to work. The  
22 existing strategy was that the insurance policy would cover  
23 the cost overruns. So just to see if it's actually going  
24 to be viable or not.

25 I think the -- they bought that insurance

1 policy in the first place understanding that probably the  
2 Army was getting a good deal, and why spend seven million  
3 dollars right off the bat if you aren't worried about  
4 something.

5 So I think there was an understanding that  
6 the trust would have to come up with some money eventually,  
7 but that it would be capped at a certain point and then the  
8 insurance would take care of all the rest.

9 So it would be nice to kind of know that  
10 that's actually feasible and can happen, or do you need to  
11 go find another funding source? Go back to the Pentagon,  
12 go back to Congress, whatever.

13 FACILITATOR KERN: Jan.

14 MS. BLUM: I'm sure her comments's more  
15 pertinent.

16 FACILITATOR KERN: Jan one.

17 MS. MONAGHAN: I'm not sitting next to you  
18 anymore.

19 At the risk of sounding like a Republican, I  
20 also think a hundred million dollars of public money is  
21 something that needs to be professionally managed and  
22 accounted for. They have to have some accountability for  
23 spending that money.

24 That's the one that I'm interested in, that  
25 there's remediation projects going on all over the country,

1 all different contractors and things and there's a body of  
2 knowledge out there that is usable to predict what your  
3 costs are going to be, and history and professional  
4 experience, and the consultants that are being used here,  
5 they all have to be accountable for doing the best job on  
6 the project.

7 MS. CLEEK: I don't disagree with that. How  
8 are we going to use it going forward once that information  
9 comes about? Are we going to use it to help tell them  
10 better find another form of financing now?

11 I'm not saying it's not valuable, although I  
12 kind of agree with Julian that I'm not sure you can really  
13 get a meaningful number at this point, and also the cost of  
14 doing that, I don't know -- I think -- you know, I'm not  
15 sure I -- I'm not sure I fully see that it's going to work  
16 to get it, but that's besides the point.

17 How are we going to use this? What lever is  
18 this information going to be and, you know, what -- what  
19 purpose will it serve? That's what I want to know.

20 FACILITATOR KERN: Jerry.

21 MR. ANDERSON: Well, if you're going to use  
22 the record up to now to make an estimate of any bias in the  
23 forecasts, we want to know what that answer is. There's  
24 been a large escalation in the forecasts over a short  
25 period of time.

1 FACILITATOR KERN: It's interesting. Some  
2 sites have gone from no budget to five million dollars and  
3 other sites have gone from 6 or 7 million to a hundred  
4 thousand. So there have been wide swings.

5 MR. ANDERSON: Sure, but overall the  
6 estimates that have been really low, it's not necessarily  
7 anything to do with the performance. They've found new  
8 sites. They've found new problems at other sites.

9 FACILITATOR KERN: It could be a normal --  
10 yeah.

11 MR. YOUNGKIN: The original EKI estimates  
12 were really rough, back of the envelope kind of things in a  
13 lot of cases. So we expect those to be pretty -- pretty  
14 bad.

15 FACILITATOR KERN: Julie has -- and actually  
16 Jan, you were first and then I'll go to Julie.

17 MS. BLUM: It's another one of those  
18 philosophical questions, but there's so many base cleanups  
19 going on all over the country now. I'm wondering if there  
20 is a base of knowledge or if anybody is working on any kind  
21 of template.

22 Maybe ours is the template that drives our  
23 standard for tracking cleanups at some point in the future.

24 Is there some basic knowledge that we can  
25 actually use -- I hate to say Hunters Point, because I

1 don't know that it's done very well yet, but some of the  
2 other base cleanups that have had the experience, turning  
3 it into housing, Southern California, that kind of thing  
4 and say are we the only RAB that's trying to manage money?  
5 Does the Army manage all the money? Who manages the money  
6 on the other cleanups?

7 MS. CLEEK: I thought that this is what made  
8 this project unique. We started with a budget rather than  
9 each time having to take the particular cleanup project  
10 back to the Army or whatever and negotiate for a budget,  
11 which is, you know, sort of different way of doing things.

12 MR. COOPER: Jan, to answer your question,  
13 most federal facilities are not using this model that we're  
14 using at the Presidio. Most of them are the mil -- the  
15 military kind of stays on the hook for the whole cleanup  
16 and they get appropriations from Washington, D.C., you  
17 know, on an annual basis.

18 So that's -- there's some exceptions to the  
19 rule, Presidio, Mare Island, there's a few exceptions, but  
20 that's the usual case.

21 MS. BLUM: Mm-hmm.

22 MR. COOPER: It stays with the military  
23 for -- to finish it off.

24 MR. YOUNGKIN: And they experience huge  
25 overruns.

1 MR. COOPER: Oh, yeah. Now are they  
2 advertising that? Is that real public, you know. I'm not  
3 on a RAB, but I don't expect it is, because the public  
4 generally doesn't care, you know. You know what I mean?  
5 Just well, they'll just go to Washington to get more money.

6 MR. ULLENSVANG: The DOD -- the experience  
7 here before the trust took over, the DOD was not  
8 forthcoming with their expenditures. There was lots of  
9 struggle to even get them to give ballpark estimates to  
10 what things cost in retrospect.

11 FACILITATOR KERN: We never even saw a  
12 single invoice or anything like a real number, never.  
13 Julie and then Julian.

14 MS. CHEEVER: Well, I have two unrelated  
15 comments. The first thing as much as we would like to  
16 think that people in our country care about pristine  
17 national parks, I really don't see Congress giving more  
18 money for an environmental project in the San Francisco Bay  
19 Area in the current atmosphere with all the strains on the  
20 federal budget.

21 So I'm just saying that because I don't think  
22 we should be counting on that as much as it would be nice  
23 to be counting on that.

24 But I'm just wondering what the variability  
25 of one project to another. How big a factor is the amount

1 of contamination that's found when something is being  
2 excavated?

3 It seems to me that's been a big variation,  
4 something you can't predict, but maybe that whole factor  
5 isn't so big compared with the cost of designing it, et  
6 cetera.

7 MR. COOPER: Right. It is a factor. We try  
8 our best to predict it in advance. You know, sometimes  
9 we've been good. Sometimes we've missed it, you know, a  
10 little bit.

11 But that is definitely a factor that protects  
12 total costs. What are the factors that are variable and  
13 how do we get -- have better confidence  
14 about -- identify the most sensitive factors and then how  
15 do we get better confidence about -- that we're using the  
16 best unit rates for projecting those costs, and -- yeah,  
17 and volume of the site is definitely going to be one of  
18 those factors. Toxicity of the site is another factor for  
19 clean closure remedies.

20 FACILITATOR KERN: Julian.

21 MR. HULTGREN: This is a question really for  
22 Dave and Jan because I don't have any idea on this. I  
23 don't know much about it, but the question that I want to  
24 raise is this: Is the cost reporting information that we  
25 have gotten most recently satisfactory for our guidance and

1 our purposes or not?

2 MR. SUTTER: No.

3 MR. HULTGREN: What?

4 MS. MONAGHAN: No.

5 MR. HULTGREN: If it's not, we should be  
6 talking about that. We should tell Craig, you know, not  
7 just that we want a five -- a plus or minus over or under  
8 figure, but we want something in addition or something  
9 different in the cost reporting than we're getting.

10 I don't have any idea what that would be,  
11 because I don't know about that, but if we do have a  
12 problem with what we're getting, I don't know that we're in  
13 a position tonight to lay it out.

14 I think we as a body ought to discuss it and  
15 come up with those things that we want when we get a cost  
16 report. And then convey it to -- to Craig and see if he's  
17 able to give us that sort of stuff.

18 FACILITATOR KERN: Yes. I agree, Julian,  
19 and that I think should be incorporated into a letter a  
20 little bit different than the direction we were going, but  
21 something that itemizes the refinements that we would like  
22 to see and then work with Craig to see that those are  
23 carried out.

24 MR. HULTGREN: Could we discuss that in  
25 executive session?



1 FACILITATOR KERN: Absolutely. I would  
2 suggest our next committee meeting we continue that  
3 process.

4 That's what I would do on the financial cost  
5 tracking. I think our process is working quite well and  
6 that we're getting somewhere with this, and we'll keep  
7 working on it and we'll produce the, you know, targeted  
8 response that we need in these next few weeks.

9 MR. SUTTER: So are you suggesting, Doug,  
10 that at the next committee meeting in executive session we  
11 consider a letter to Craig Middleton about the overall  
12 budget issue and the funding overruns and how that's done  
13 as well as dealing with the outstanding issues with the --  
14 the cost tracking reporting?

15 FACILITATOR KERN: Yeah. I mean, perhaps  
16 the outstanding issues might be an appendix or something  
17 attached, but --

18 MR. HULTGREN: We better get our cost  
19 reporting facts down before we go to Craig Middleton and  
20 say, "You don't have enough money."

21 Because if we don't get the facts down first  
22 that we want in a cost reporting, we have no basis to -- to  
23 even discuss it with him.

24 FACILITATOR KERN: Right.

25 MR. HULTGREN: So one step at a time.

1 FACILITATOR KERN: Yes. Agreed.

2 MR. SUTTER: We can do both at the same  
3 time.

4 MR. YOUNGKIN: We can do both at the same  
5 time.

6 MR. HULTGREN: How can you do it if you  
7 don't have the figures in an adequate cost report?

8 MR. YOUNGKIN: It takes you two years to get  
9 a detailed cost report.

10 MR. HULTGREN: You've got to have something  
11 that you can rely on.

12 MR. YOUNGKIN: There's a lot of uncertainty  
13 in the big numbers, anyway.

14 FACILITATOR KERN: What I recognize around  
15 what Julian is saying is that a year ago we had an estimate  
16 that turned out that we had about a hundred million to  
17 spend. We had about a hundred million in costs.

18 This year, it's a little different, and so we  
19 still need to refine that, but now the picture is a little  
20 bit in more focus, so we have more confidence that we can  
21 say we're going to have -- we've got clear growth that we  
22 need to respond to, and the refinements will tell us how  
23 much, but I'm confident that we have growth that's over the  
24 hundred million. I -- I'm pretty confident about it from  
25 my analysis.

1 Jerry.

2 MR. ANDERSON: Well, I don't think the  
3 problem -- or the approaches that we have an audited  
4 problem that we want attended to. We're not getting as  
5 much information that we feel we need, but the information  
6 that we do have shows there's a potential for a problem and  
7 somebody ought to be paying attention to it.

8 FACILITATOR KERN: Exactly.

9 MS. BLUM: Right.

10 FACILITATOR KERN: And I think everybody  
11 agrees, and Craig is going to help us with getting us the  
12 details that we all need. I feel good about that.

13 MS. BLUM: I just want to say I think that's  
14 a positive thing, that we are trying to be proactive --

15 MR. ANDERSON: True.

16 MS. BLUM: -- before we get to the end and  
17 say, "Whoops." That we have now the opportunity to say  
18 this is potentially what the problem -- the size of the  
19 problem is and these are some things that we might want to  
20 think about doing and what else can we come up with that  
21 will change the outcomes on the project.

22 So I think it's a very good thing. I think  
23 it's a good model.

24 FACILITATOR KERN: Julian.

25 MR. HULTGREN: I get the impression that

1 both of these issues would be -- would be taken up with  
2 Craig Middleton, and I don't know that that's appropriate.  
3 It seems to me the issue about what we want about cost  
4 reporting is taken up with Craig right here.

5 FACILITATOR KERN: I think the only reason  
6 to tell Craig --

7 MR. HULTGREN: Which Craig?

8 FACILITATOR KERN: Craig Middleton is so  
9 that he's aware that we're aware and that the details  
10 clearly will work out with Craig Cooper.

11 Yes. Any other thoughts on this subject?

12 And we'll pursue it again in a couple weeks  
13 and I'll -- I'll be working with Jan and Dave to itemize  
14 some of the details on both of these issues.

15 MR. COOPER: From the 2004 cost estimate  
16 versus 2005, I don't want people to think that that growth  
17 happened in one year.

18 It was more of getting better cost estimates,  
19 you know, in that process. You know, we did a lot of work  
20 from that -- what we released in 2004 so what I just  
21 released two months ago, so it was more of refining,  
22 looking a lot harder at each project budget and that's what  
23 -- scope growth and getting a better handle on scope growth  
24 and just refining our cost estimates better. I  
25 just don't want you to think that it jumped twenty million

1 dollars -- that we had twenty million dollars worth of  
2 growth in one year.

3 Secondly, we got some feedback on -- as far  
4 as the structure of the report itself from -- about a month  
5 or so ago, and I'm going to be distributing those every  
6 quarter.

7 I said we're going to do it and we're going  
8 to do it. We just finished a quarter, so my next before  
9 the end of July is to hand out another quarterly report,  
10 and we got some feedback on, you know, some questions from  
11 you all on that.

12 So I plan on, you know -- I knew that the  
13 first quarter report was not going to be perfect, so it was  
14 going to be an evolving, you know, process as far as, you  
15 know, filling in some gaps and some zeros and things like  
16 that, but I want to make the quarterly report better and  
17 better each time.

18 So -- but I do feel that the cost estimates  
19 in this quarterly report are a lot better than 2000.

20 And one last point. You're probably worried  
21 that I'm going to start compromising remedies, like oh, my  
22 gosh, we're running out of money. We're going to start  
23 finding cheaper remedies. That's not where I'm going to  
24 come from at all.

25 When I look at the merits of a project and

1 try to come up with what I think -- we have our remedial  
2 action objectives. I look at that. I look at what the  
3 law's required and I really try to come up -- we in the  
4 trust are trying to come up with what we think are the best  
5 projects for the park and responsible use of public funds,  
6 and if I come up with a capping remedy, it's not because  
7 somebody's telling me "save money, cap it."

8 It's because I think that is the best use of  
9 public money for that particular site and the park.

10 I know that you guys may not agree with me on  
11 that, but that's where I'm coming from as somebody who's  
12 been doing this for a long time. And so I just want you to  
13 know that.

14 FACILITATOR KERN: Dave, and then we'll --

15 MR. SUTTER: Craig, I think what would be  
16 very helpful is if in the near-term, in the next month or  
17 so, you could make a presentation to the RAB -- perhaps at  
18 a committee meeting -- of exactly how you're currently  
19 doing your cost estimates step by step.

20 MR. COOPER: Mm-hmm.

21 MR. SUTTER: Take a specimen project and  
22 show us exactly how the cost estimating process works. You  
23 know, if it's a consultant who does the basic estimating,  
24 just how the consultant does it, how you guys check it, the  
25 checks, double checks and how it's massaged. MR.

1 COOPER: Mm-hmm.

2 MR. SUTTER: And then the entire process on  
3 a step by step basis. I think that would be -- that would  
4 be a great education for all of us.

5 I think it would also probably result in a  
6 better understanding and more confidence in the cost  
7 estimating process --

8 MR. COOPER: Right.

9 MR. SUTTER: -- being thought through.

10 MR. COOPER: Okay.

11 FACILITATOR KERN: Are there any other  
12 thoughts? Jerry.

13 MR. ANDERSON: Can we all expect an e-mail  
14 Friday afternoon, then, on the FOIA response?

15 FACILITATOR KERN: Well, no. They'll be  
16 sending in a letter, but we'll be on top of that, you know,  
17 within a few days we'll be seeing if a letter was sent.

18 MS. MONAGHAN: I had asked Craig for RAP 3.  
19 Am I going to get that?

20 MR. COOPER: Right. You wanted the CSTRs  
21 for --

22 MS. MONAGHAN: For RAP 3.

23 MR. COOPER: Sure. We're doing a new  
24 quarter report, so project managers, myself included -- in  
25 fact, almost all the RAP 3 sites are under my name, so

1 we're in the process of updating our -- our project  
2 estimates for those based on recent -- for example, in RAP  
3 3 sites, we just got all these comments from DTSC, and  
4 they're at a comment letter.

5 Bob still hasn't issued a formal issue of his  
6 comment, so yeah, I'm in the process -- I'm having to come  
7 up with some -- most of them are going to cost me more  
8 money and I'm -- I'm going to have to just ballpark it at  
9 this point, but it's a real comment that's coming in. It's  
10 going to have real costs to RAP 3 remedies.

11 MS. MONAGHAN: Okay.

12 MR. COOPER: So how about when I hand out  
13 the next quarterly report, your -- the one I give you  
14 will -- I'll give you all the RAP 3 appendix D, as well.

15 MS. MONAGHAN: Okay.

16 FACILITATOR KERN: Are there any other --

17 MS. MONAGHAN: Thank you.

18 FACILITATOR KERN: -- comments for this  
19 evening?

20 MS. CLEEK: I do have one. If you're going  
21 to go through and talk about how you come up with the cost  
22 estimates, can you, you know, fill us in on whether you go  
23 out into like industry standards -- your other projects  
24 that you know are going on, like the project managers, do  
25 people at your level exchange information and talk and



1 figure that in? How do you -- who would know that we had  
2 \$60.00 a barrel oil a few years ago.

3 The things that you can't immediately control  
4 on that one site, how do they get factored into your  
5 projects?

6 MR. COOPER: Just don't show the unit rate.  
7 Show the reference document. How did you come up with that  
8 unit rate?

9 MS. CLEEK: How do you come up with the  
10 assumptions on what your universe will be like and where do  
11 you get those ideas?

12 MR. COOPER: Yeah, okay. That will be a  
13 detailed presentation, then, when we get down to that  
14 level, but sure.

15 FACILITATOR KERN: Anything else?

16 I want to thank everyone again for coming  
17 during the summer meetings. There are vacations and a lot  
18 of things going on. Thank you for coming out.

19 Without objection, the meeting's adjourned.

20 (The meeting concluded at 9:16 PM).

21 ---o0o---

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25

1 STATE OF CALIFORNIA )

2 COUNTY OF SAN FRANCISCO )

3

4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the time  
6 and place therein stated; that the foregoing is a full,  
7 true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the foregoing  
10 meeting and caption named, or in any way interested in the  
11 outcome of the cause named in said action.

12

13 IN WITNESS WHEREOF, I have  
14 hereunto set my hand this  
15 \_\_\_\_\_ day of \_\_\_\_\_,  
16 2005.

17

18 \_\_\_\_\_  
Mark I. Brickman CSR No. 5527

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, AUGUST 9, 2005  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Peter O'Hara

Craig Cooper

Mark Youngkin

Jim Ponton

Sara Segal

Gloria Gee

Sam Berman

Jan Monaghan

Julian Hulgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mark Trigiani

Tracy Wright

Jerry Anderson

David Sutter

Edward Callanan

Bob Boggs

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on August 9, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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## AGENDA

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1 FACILITATOR KERN: So good evening,  
2 everyone. Craig was being a good samaritan and helping a  
3 local tourist, so he's going to continue to get set up, and  
4 I thought we would try to begin our meeting relatively on  
5 time.

6 Welcome, everyone to the Presidio Restoration  
7 Advisory Board meeting for August 2005. Welcome to the  
8 Presidio Trust and their contractors, who I don't see too  
9 many of tonight, Park Service, our regulatory agencies.  
10 Nice to see you, and community RAB members, thanks you for  
11 coming out in the summer.

12 We sometimes don't have everybody showing up  
13 due to vacations, but thanks to all of you for coming out  
14 tonight.

15 Does everyone have an agenda? Are there any  
16 changes or additions?

17 I have been asked to add an update for prior  
18 to the break regarding legislation on the license plate  
19 issue that might relate to our Mountain Lake discussion.

20 MS. BLUM: Great.

21 FACILITATOR KERN: So add that in there  
22 prior to the break.

23 Any other changes? Are there any  
24 announcements or old business?

25 Very good.

1 MR. COOPER: I have an announcement. Brian  
2 had car trouble and he can't make it tonight.

3 FACILITATOR KERN: Oh. So we'll send Brian  
4 our best wishes. Hope he made it home.

5 All right. Proceeding on, then, to committee  
6 and working group business, I don't know, Mark, did you  
7 happen to receive a letter yet from the --

8 MR. YOUNGKIN: Yes, I did. I have it right  
9 here.

10 FACILITATOR KERN: We have an announcement  
11 on our Freedom of Information Act appeal request, and we  
12 already announced that we had heard about this by a phone  
13 call after calling everyday practically in a row for two  
14 weeks; finally got some action, and they denied our appeal,  
15 but perhaps you might --

16 MR. YOUNGKIN: I'll pass this around. It's  
17 three pages, three pages of legal analysis. Basically they  
18 say that the information is confidential business  
19 information in a nutshell.

20 FACILITATOR KERN: That would certainly  
21 warrant an incredible amount of effort that we put in to  
22 get that back.

23 So that is circulating around and we can all  
24 look at it and talk about what we might do with that, but  
25 we do at least have that decision and we have perhaps part

1 of our concerns worked into one of the letters that we'll  
2 review tonight.

3 All right. Moving onwards to --

4 MR. BERMAN: Doug.

5 FACILITATOR KERN: Yes, Sam.

6 MR. BERMAN: Does the denial of the appeal  
7 mean that there's no further formal process?

8 FACILITATOR KERN: I don't know the answer  
9 to that. I don't know. I -- my feeling is is that it may  
10 be now of a legal process, some sort of litigation, but I  
11 don't know for sure if there's any other action that we can  
12 take short of that. So that's something to be  
13 investigated.

14 MR. BERMAN: Do you know anyone at the -- at  
15 the -- let's see. The -- there's two or three politically  
16 active groups who are local here who have had a great deal  
17 of involvement with the FOIA process, and --

18 FACILITATOR KERN: Yeah. I know who -- that  
19 you're talking about. NRDC probably would have some  
20 facilities.

21 MR. BERMAN: So I was wondering whether you  
22 felt -- since you already put out so much effort, whether  
23 you would be willing to contact them and ask them what one  
24 does if the appeal is turned down, because they've been  
25 active in that for a long time and might have some ideas.



1 FACILITATOR KERN: All right. We'll  
2 investigate.

3 Dave.

4 MR. SUTTER: Was the basis of the denial the  
5 same with the original FOIA request?

6 FACILITATOR KERN: Mark is passing the  
7 letter around.

8 MR. SUTTER: Okay.

9 MR. ANDERSON: It says here that there's an  
10 exemption for trade secrets and information that is  
11 commercial or financial obtained from a person and  
12 privileged or confidential.

13 It says it's not a trade secret, but it does  
14 fall under the commercial category.

15 MR. SUTTER: That sounds like the original  
16 line.

17 MR. YOUNGKIN: That's pretty close when I  
18 read it. It seems like what's of interest to me is they're  
19 saying it's information, information that's not typically  
20 given to the public, so therefore it's commercial  
21 information.

22 It's not the merits of the information  
23 itself. That's not typically given out.

24 FACILITATOR KERN: Any other comments at the  
25 moment regarding our appeal, the denial of our appeal? We

1 will pursue seeing what other courses of action might be  
2 open to us.

3 Our next item is fill site 6A status. I just  
4 thought I would ask -- because this is an ongoing  
5 remediation site with activity all the time. I have to see  
6 if Craig would say a few words about --

7 MR. COOPER: Yes. I've got some great  
8 photos that are going to show up in just a second here.  
9 Just as a quick note, if you'll been driving by fill site  
10 6A recently, you might notice for the last few weeks, there  
11 really hasn't been activity.

12 When we were digging the east side of the  
13 site over near Girard where the landscape zone is, we  
14 encountered these dormitories associated with the former  
15 Army nurse's quarters, and I think I talked about those  
16 last month.

17 So while stockpiling the soil associated with  
18 basements of the dormitories, we took some soil tests and  
19 found that the -- the soil in that area had high levels of  
20 lead, and it did not get picked up during our initial --  
21 when we kind of do the bid walk with the contractor and do  
22 the initial characterization study that those high levels  
23 of lead were not found, and -- I mean, they were -- some  
24 elevated lead there, but not at the concentrations we found  
25 while excavating the site.

1                   So, for example, you know, during the  
2   characterization studies, we found that lead was maybe at,  
3   you know, a hundred PPM at the most, plus or minus in that  
4   a section.

5                   So we thought the whole landfill was going to  
6   go out as this cheap class III non-hazardous waste.

7                   Well, on the east side of the site -- and  
8   that has been true on the west side where the creek is  
9   going in and so on.

10                  That's all gone out as non-hazardous class  
11   III waste, but on the east side where the buildings were,  
12   what must have happened was that the lead based paint from  
13   the old buildings had chipped off, and so the Army took the  
14   dorms away, but then left all the lead paint that had  
15   flaked off the buildings over the years, we're still  
16   sitting there in the soil, and so that's what we  
17   encountered, and so -- so, for example, when we did some  
18   characterization tests, we found 520 parts per million  
19   lead, and so then we -- you know, we made sure that we  
20   tried to aggregate that soil as much as possible because we  
21   wanted to make that volume as small as possible because we  
22   know that's a lot more expensive for hauling it out, and so  
23   -- but that's what caused the slow-down.

24                  We needed to, you know, -- Ox Mountain, who  
25   was accepting our class III waste, is not allowed to accept

1 any hazardous waste, and so we needed to get some profile,  
2 better profiles of those stockpiles, farm it out to some  
3 class I landfills and see what the rate was going to be,  
4 and fortunately, it did not turn out to be RCRA.

5           There's two signs of hazardous waste: RCRA and  
6 just regular California hazardous waste, and it turned out  
7 to be California hazardous waste for at least the first  
8 stockpile.

9           We have the second stockpile to test, and I  
10 have the feeling that it will turn out to be the same. But  
11 just financially, this does turn out to be a change order  
12 because we did not assume any class I waste in this  
13 landfill, and -- but we had them bid, so we had them locked  
14 in at least some degree what they could haul out if we did  
15 encounter class I waste, and then that price came in  
16 comparable to what -- the waste that's going to be to  
17 Kettleman landfill down in the Central Valley.

18           So I will do that. Okay. And it's not  
19 showing. I shouldn't have helped that tourist.

20           As the handout says, if everyone's got my  
21 handout, you can see that we've hauled off 550 tons of  
22 class I so far, and 66,000 tons of class III.

23           So you can see the vast majority of the  
24 site -- I don't know what's going on. No. This one is not  
25 necessary.

1 Well, you can see from the -- you know, the  
2 pictures are in your handout. They're in pretty good  
3 quality. The first picture, kind of moving along here.

4 So just kind of going over my first slide,  
5 the approximate waste left is 6,000 tons of class III and  
6 2,000 tons of class I. So you can see that we're just  
7 about there.

8 I want to talk a little bit about  
9 confirmation sampling. I'll use the photos to do that and  
10 we'll talk a little bit about the nurse's quarters and the  
11 petroleum site that we encountered while digging up 6A, as  
12 well.

13 So the first picture was just taken today,  
14 and it was taken from Lincoln Boulevard, and you're looking  
15 basically kind of north/northeast, so you can  
16 see -- off to the right, you can see the Redwood trees, and  
17 you see that little road just at the base of the Redwood  
18 trees -- everyone okay with me? I'm sorry that the photo's  
19 not working.

20 Do you see where I am in the photo? That was  
21 our old haul road that we used when we were digging out the  
22 stream area. We used that for the trucks to come in, get  
23 loaded up.

24 So that road is going to get dug out now and  
25 removed, and so it will be a little more smoother

1 transition from the flat zone on the left side of the  
2 picture.

3                   You see that big flat area where you see  
4 pooling water, that's actually groundwater, pooling at the  
5 site, and that's native soil there, and so what we've  
6 really planned -- what will happen here is that you can --  
7 that the creek will kind of come in and then meander off to  
8 the right-hand side where you can see some heavy pooling,  
9 and then -- I don't know the quality of your photo.

10                   Then you can kind of see a water section kind  
11 of heading off. That is basically kind of the -- how the  
12 creek will eventually flow.

13                   So -- let's see what else do I want to say  
14 about this?

15                   MS. SEGAL:    Craig?

16                   MR. COOPER:   Yeah.

17                   MS. SEGAL:    Is that one of the nurse's  
18 quarters building?

19                   MR. COOPER:   No. The building on the far  
20 left, it's a historic building. It's made of brick, and it  
21 was an old Army prison building.

22                   MS. SEGAL:    Thank you.

23                   MR. COOPER:   So Jim's going to try to  
24 provide some technical support.

25                   MR. BERMAN:   The first thing to do is to

1 unplug the wire going into the laptop.

2 MR. PONTON: Okay.

3 MR. BERMAN: Take that out.

4 MR. COOPER: So another thing about this  
5 picture is that building -- the one that Sara was talking  
6 about -- is the -- that's an old Army prison building and  
7 that's the one that got us in trouble.

8 The old -- the 72 inch storm drain ended up  
9 being a lot closer to that building than we planned.

10 I've got other photos of that, and so that is  
11 why we had to abandon in place the -- a segment of that 72  
12 inch storm drainpipe.

13 And you can kind of see how this soil is  
14 sloping underneath that. There's a segment of pipe  
15 underneath there. I've got another picture of that.

16 MS. WRIGHT: Craig?

17 MR. COOPER: Mm-hmm.

18 MS. WRIGHT: Do you know what the plans are  
19 for that building? Will that be restored or used for  
20 storage purposes?

21 MR. COOPER: I don't know the plans. I do  
22 know that it's a historic building and --

23 MS. WRIGHT: But it's stable, as far as you  
24 know, after the -- I mean, you obviously had to leave the  
25 pipe in place, but it is still stable?

1 MR. COOPER: Yes. Since we've done -- we  
2 did some work very close to that slope and nobody had  
3 noticed any -- you know, what we were afraid of.

4 We didn't even -- we were afraid that we  
5 might undermine that slope and then cause some cracking.  
6 It's just old brick, but there hasn't been any cracks shown  
7 to that building yet.

8 Mm-hmm.

9 MR. O'HARA: That building was there long  
10 before the pipe was put in.

11 Why would you think that you would disturb  
12 the building if you pull the pipe out?

13 MR. COOPER: Well, because maybe we're just  
14 a little bit more careful than the Army was as far as  
15 putting things in and disturbing soil around historic  
16 buildings, and so that was -- that decision to abandon the  
17 pipe in place near that building was made by, you know,  
18 Geotechs at the point.

19 And so -- it's because the Army took that  
20 gamble doesn't mean that we necessarily want to take that  
21 gamble.

22 MR. O'HARA: I'm just saying there is a  
23 sound engineering reason for leaving it there as opposed to  
24 a political reason.

25 MR. COOPER: There's no political reason to



1 leave it there whatsoever. I can't think of one. Yeah.

2 FACILITATOR KERN: Have you tried function  
3 F5?

4 MR. BOGGS: Actually, to add to that, part  
5 of that was our request because the -- the remedial design  
6 documents that came to our agency showed an alignment of  
7 that storm drain much further away from that building.

8 I have a picture, too, that if you saw that  
9 storm drain actually came much closer to that building than  
10 the historical engineering drawings showed.

11 You're correct in that they obviously put  
12 that building -- the pipe in after the building was already  
13 there, but it would have created just such a big steep  
14 slope for that historic building that they needed a Geotech  
15 to approve it because it -- it was definitely in the iffy  
16 range.

17 MS. TRIGIANI: A geotech being a --

18 MR. BOGGS: A registered --

19 MS. TRIGIANI: Independent.

20 MR. BOGGS: One of their consultants has a  
21 registered professional that's registered in that --

22 MS. TRIGIANI: Is there a consulting fee  
23 attached with that?

24 MR. BOGGS: Well, I doubt it because the  
25 consulting -- basically what came out of it from talking

1 with our civil structural engineer is they would have had  
2 to have done some tests and/or significant amount of work  
3 to protect that building, a priori, so then it's like do we  
4 spend a hundred thousand dollars to remove a couple --  
5 well, it would have been much more than a couple hundred  
6 thousand dollars.

7 When we go through these, to remove a couple  
8 sections of storm drain, the storm drain's very clean. It  
9 wasn't -- there wasn't any residual contamination in there.

10 Do we spend an extra hundred -- a hundred  
11 thousand dollars to remove them?

12 MS. TRIGIANI: What would be the source of  
13 the original drawing? Would that be the US Army engineers?

14 MR. BOGGS: Correct.

15 MS. TRIGIANI: So they provided us -- they  
16 provided the Presidio Trust with an inaccurate drawing?

17 MR. COOPER: Correct.

18 MR. BOGGS: It's a historic drawing.

19 MS. TRIGIANI: Upon which we made plans that  
20 we had to switch.

21 When you say "change order," can't we submit  
22 something to the US Army that provided the wrong kind of  
23 information or is that not covered in our agreement with  
24 over the hundred million original funding?

25 MR. COOPER: Um. I've never -- I haven't

1 really contemplated that as to whether -- there would have  
2 to be --

3 MS. TRIGIANI: I strongly urge you to do so.

4 MR. COOPER: I would assume there would have  
5 to be some intent, you know. They didn't intend to mislead  
6 us.

7 MS. TRIGIANI: I don't think they ever  
8 intended to mislead us, but they made a mistake, and the  
9 hundred million was calculated -- part of the hundred  
10 hundred million -- this is how my mind works, Craig, so  
11 bear with me.

12 If the hundred million was calculated on  
13 their drawing or some part of it thereof, then I think we  
14 ought to go back to them and ask for a little redress.

15 MR. BOGGS: Well, it didn't in this  
16 particular instance cost them nearly as much as it would  
17 cost to collect because they were approved by our agency to  
18 abandon them in place.

19 So it essentially cost them almost nothing.  
20 Basically if it's not significant contamination, there's no  
21 significant risks.

22 My agency will approve those kinds of changes  
23 if it's going to affect a big structure like an expensive  
24 building or historic building. Then all kinds of things  
25 come into place because it's a historic building.

1 MS. TRIGIANI: I think it just could be done  
2 just for purposes of making it known to the Army that they  
3 presented some inaccurate information and sort of to keep  
4 folks on notice that this is being watched, if that would  
5 help in any way.

6 MR. BOGGS: Just as a bit of information, a  
7 lot of what happens is what the trust received was a design  
8 drawing, and so it's what the -- the Army probably intended  
9 to put in, and then when it got put in, they didn't do  
10 what's called an as-built.

11 These things slip by all the time, so when  
12 they put it in, there was some characteristic that they  
13 decided we're going to change it a little bit in the field.  
14 It will work better this way.

15 MS. TRIGIANI: Sure.

16 MR. BOGGS: But then they never went back  
17 and redid the drawings.

18 MS. TRIGIANI: So that's a mistake.

19 MR. BOGGS: It's very common, and you're  
20 going to find that --

21 MS. TRIGIANI: It sounds like as common as  
22 it is -- I'm not trying to be argumentative. I'm trying to  
23 make sure that this is done in a way that is professional  
24 and represents the amount of attention the trust is paying  
25 for this remediation process, and I think that if they

1 didn't have accurate drawings, for whatever reason, benign  
2 or otherwise -- I'm sure it's benign -- then that should  
3 figure into how that hundred million was calculated and  
4 perhaps there should be some redress.

5 MR. BOGGS: And that's a good point, and in  
6 this particular case, it might be good to put them on  
7 notice, essentially --

8 MS. TRIGIANI: Yep.

9 MR. BOGGS: -- because that's a  
10 significant -- this is just my opinion. Craig will have  
11 better -- this one doesn't seem that significant, but I  
12 think if there were something that was more than -- more  
13 than --

14 MS. TRIGIANI: Next time it might be  
15 something --

16 MR. BOGGS: Something above \$10,000, yeah,  
17 then it's probably worth Craig's time to pursue.

18 MS. TRIGIANI: That's the other thing, is it  
19 worth --

20 MR. BOGGS: An opportunity, if it is an  
21 opportunity.

22 MS. TRIGIANI: Thank you.

23 MR. COOPER: I know that the trust utility  
24 department is constantly struggling with, you know, the  
25 lack of as-builts, you know, in -- when they're redoing

1 electrical conduits and water pipelines and sewer pipelines  
2 in the Presidio. There's just a lot of turnover.

3 Pipes are different, hookups were different.  
4 You know, the Presidio -- as we know, people in the Army,  
5 there wasn't a long tenure. There was turnover. Maybe the  
6 commanding officer was there for a while, but kind of the  
7 people running the place would be here for a year or two  
8 and then they'd get shipped out and moved on elsewhere.

9 So we're seeing that the record-keeping is  
10 not the best.

11 FACILITATOR KERN: Dave, you had a question.

12 MR. SUTTER: Yeah. Craig, given the age of  
13 most of the buildings here, are there as-builts to begin  
14 with for any of these buildings?

15 MR. COOPER: Yeah. Again, what Bob said, we  
16 can go into the archives and there'll be drawings for a lot  
17 of these buildings, even from the 1910s and '20s, but  
18 as-builts, we're finding, you know, is not something that  
19 oftentimes were done until '40s, '50s, '60s and so on.

20 MR. SUTTER: And was there any  
21 representation by the Army in the MOU as to the accuracy of  
22 plans and drawings?

23 MR. COOPER: That's what I'll double-check  
24 in the MOA. I doubt it, because they knew from the get-go.  
25 They were probably struggling with these same problems when

1 they were fixing up buildings.

2 FACILITATOR KERN: Peter.

3 MR. O'HARA: Craig, just a point that you  
4 made. In this first photo, you had indicated that the  
5 water that appears at the bottom of the -- of the picture  
6 towards the -- right of center was groundwater; correct?

7 MR. COOPER: Yeah.

8 MR. O'HARA: Is it -- in the -- is the final  
9 product here going to be that low or are you going to line  
10 it with -- the concern I have is that you have standing  
11 groundwater --

12 MR. COOPER: Right.

13 MR. O'HARA: -- and from a health  
14 standpoint, that concerns me.

15 MR. COOPER: Mm-hmm. Because of the  
16 mosquito issues?

17 MR. O'HARA: Yes.

18 MR. COOPER: The idea is that -- this is  
19 finally going to work. Sorry about that.

20 All right. There we go. So, yeah. This  
21 water here is groundwater, so they -- the pipe opens up and  
22 we're standing on Lincoln Boulevard.

23 The pipe opens up somewhere around here. The  
24 creek is basically going to go out this way where the stake  
25 is and kind of follow this route along here and then we're

1 going to start building the head wall here.

2 Then it's going to get back into the pipe and  
3 head off that way, and the trust ultimately has the vision  
4 to open up this creek all the way to the Crissy Field  
5 Marsh, and maybe we can bring Terry Thomas in and talk  
6 about the rest of this creek project and what the trust  
7 thoughts on that.

8 But the drop in elevation is a little bit  
9 different than we thought going into it, too; that the  
10 elevation drop, you know, here, this end is higher than  
11 this end, obviously.

12 Otherwise water wouldn't be flowing in the  
13 pipe, but I forget the exact, you know, difference, but it  
14 is -- we thought the drop was going to be ten feet or  
15 twelve feet, and it's actually I think six or seven feet  
16 drop, elevation difference from one end of the site to the  
17 next.

18 So -- I mean, we do believe water will move,  
19 but what we expect this to be and -- that's the whole kind  
20 of concept of a creek restoration project is to allow water  
21 to slow down and to infiltrate in and for the surface water  
22 that's flowing in during a rainstorm event to be  
23 interacting with the groundwater and for this to become a  
24 big wetland area. We plan on planting willows in the  
25 stream corridor.



1                   So, you know, we're -- due to the difference  
2   in the elevation drop, our stream designers are aware of  
3   that and they're okay, no problem, and they had to make  
4   some adjustments to their stream design, but we -- you  
5   know, we have the same concern about we don't want to turn  
6   this into some kind of mosquito magnet and have people  
7   worried about that, especially since, as you know, people  
8   are living right here.

9                   And so, you know, Terry Thomas and our  
10  integrated pest management person knows about this site, so  
11  I'm sure we're going to take every effort to --

12                  FACILITATOR KERN:   Isn't it true, though,  
13  Craig that this isn't the final grade?  There's going to be  
14  additional grading to --

15                  MR. COOPER:    Oh, yeah.

16                  FACILITATOR KERN:    -- channel the water?

17                  MR. COOPER:    Absolutely.  Once the  
18  remediation contractor leaves -- they're Pacific States.  
19  They're two remediation contractor.  We're bringing in a  
20  whole new contractor called Watershed something.  They  
21  specialize --

22                  FACILITATOR KERN:    Watershed Science.

23                  MR. COOPER:    And they specialize in stream  
24  construction and design.

25                  They put together what we call the fill site

1 6A restoration plan, which is basically our stream design  
2 that we sent to the Regional Board and to DTSC and they're  
3 the ones who are going to be managing the construction of  
4 it.

5 So, yeah, they'll be -- this is all native,  
6 and so there'll be -- as you can see, we're starting to put  
7 the grading there. You can see that this is new soil.

8 The clean soil that we're starting to put  
9 against this, the very steep slope that we've left here,  
10 we're starting to build this slope up so that it's more --  
11 at least a two to one angle here. That's going to come in.  
12 The same thing's going to happen on this side.

13 Once we've removed the waste here, which is  
14 underneath this tall road, between the redwood trees and  
15 down to the native, it needs to be a nice gentle slope, and  
16 then this creek channel will get constructed in, as well.

17 So there's still a lot to go here. It's not  
18 going to be this wide open -- right now it looks like a big  
19 irrigation canal or, you know, drainage thing, and it's not  
20 -- ultimately it's not going to look that way.

21 FACILITATOR KERN: We need to --

22 MR. COOPER: Okay. So this is looking the  
23 other way at the site. As you can see, the groundwater is  
24 draining off right now. Right now we have like a little  
25 collection system because we haven't gotten approval to put

1 the water that's coming across the site back into the pipe  
2 yet.

3 So right now we've dug this little hole here  
4 so the water comes dripping in here and we pump it out and  
5 send it to a collection tank, but right now we're in the  
6 process of collecting enough data for Jim and Bob to feel  
7 comfortable that the -- this side of the site is all  
8 cleaned up, the water coming across it is nice and clean  
9 and we can now start putting the water back into the pipe,  
10 which ultimately goes back into the marsh.

11 Okay. And you can see the abandoned segment  
12 of the pipe here that this soil is over the top. You won't  
13 even see it once it's all done. We're going to fill this  
14 abandoned segment with some low density concrete, and that  
15 work's going to start next week.

16 So the west side of the site is all clean.  
17 I've been working with Bob in getting our confirmation. We  
18 took a whole bunch of confirmation samples on the stream  
19 side of the site, and that's all looking good, and that  
20 site's clean.

21 Now we're looking at this side. This is the  
22 rubble from the basement of the buildings, the nurse's  
23 dormitory, and you can see that, and you can see these  
24 soils stockpiled that came out of that area.

25 This is on the east side of the site, too.

1 This is a wall from one of the basements, and you can see  
2 the historic wall that we've exposed and this is the  
3 basement wall.

4 This basement wall is too close to Lincoln  
5 Boulevard, and we're going to have to leave this one in  
6 place, and of course we'll put clean soil over the top of  
7 it so you won't see it, but that gives you an idea of  
8 the -- we were almost able to remove all the basement walls  
9 except for this one and then a little bit along the Girard  
10 side, as well.

11 Okay. This gives you an idea. Here's the  
12 west side of the site. Girard is right, you know, over --  
13 over here, and you can see these kind of indentations that  
14 we put in.

15 That's where we found some petroleum  
16 contaminated soil and we had to dig down a lot deeper to  
17 make sure we got all the petroleum.

18 We did special testing in these petroleum  
19 areas in conformance with our petroleum contingency plan,  
20 and you can see the stockpile of class I soil that is  
21 starting to get hauled away now. And that's a truck  
22 getting hauled.

23 Okay. That's it.

24 Any other questions on fill site 6A?

25 So up next is we're going to start -- we're

1   hauling away those stockpiles right now. We're going to  
2   dig the western portion of the site, which we believe will  
3   all be class III.

4               We're going to start building the head walls  
5   for the entrance and exits of the creek and we're going to  
6   fill in that abandoned storm drain, that seventy foot two-  
7   segment with the -- with the low density concrete.

8               And then what we hope by the end of August,  
9   our goal is to have all the remediation done. It's a  
10   little bit ambitious. It might spill over into the  
11   beginning of September; have Bob approve all of our  
12   confirmation samples, and make sure that the site's  
13   completely clean and then start the creek construction.

14              But we're actually -- you know, with Bob's  
15   permission, we're going to put a fence up, but what we feel  
16   the whole eastern portion, the east side of the site is  
17   clean.

18              We can let the -- the Watershed Science  
19   people there go in and start working, because we don't want  
20   to, you know -- October 15th is really the deadline to get  
21   this stream built because rainy season starts.

22              Okay.

23              FACILITATOR KERN:   Thank you, Craig.

24              MR. BERMAN:   Time for a quick question?

25              FACILITATOR KERN:   Yes.

1 MR. BERMAN: When you mentioned the  
2 discovery of the higher density lead --

3 MR. COOPER: Yes.

4 MR. BERMAN: -- how do you confirm that it's  
5 really from paint and not from some other source?

6 MR. COOPER: We didn't. That's our  
7 operating assumption right now, that it was from lead based  
8 paint and it's still -- we're seeing this trend of  
9 weathered lead based paint being extremely soluble, you  
10 know.

11 At other sites, 520 PPM of lead may not cause  
12 you to get class I, but at our site, you know, our lead is  
13 -- what we think is lead based paint is extremely soluble.

14 So it's our operating theory. We don't know  
15 of any other operations in that portion of the site that  
16 would have caused lead contamination. There were some old  
17 warehouses there, but nothing else.

18 MR. BERMAN: So if the lead from a petroleum  
19 spill, leaded petroleum just wouldn't identify, they  
20 wouldn't be soluble like this?

21 MR. COOPER: Yeah. Not this widespread.

22 MR. BOGGS: It showed differently. You'd  
23 definitely see considerable petroleum, because when we put  
24 the tetraethyl lead from gasoline, it's a small fraction,  
25 so then you see a larger petroleum spill, as well.

1           We're seeing this at other military sites,  
2   and what appears to be weathered lead based paint is more  
3   soluble.

4           What Craig said, there's RCRA hazardous waste  
5   and California. The California test is much more rigorous  
6   the federal test. There's a lot of soil in California that  
7   we consider hazardous that wouldn't be considered hazardous  
8   in other states.

9           MS. PASSERO: Is there a way to confirm,  
10   similar to if it was petroleum, some sort of spill if it's  
11   paint? Are there other things that would lead you to  
12   believe that it's paint?

13          MR. BOGGS: They -- they could do that  
14   because there are things with paint, they can determine  
15   that. It wouldn't change the outcome, though, and it's  
16   kind of like to go to the expense and effort to do that --

17          MS. PASSERO: Right.

18          MR. BOGGS: -- wouldn't change how they have  
19   to deal with it.

20          I think most people are comfortable that  
21   that's the source as opposed to a spill. It's just so  
22   consistent with all these characteristics of other sites.

23          FACILITATOR KERN: Thank you for that  
24   update. We'll move on to the next item, landfill 8 and 10.  
25   A few of us are reviewing this document.

1           At our last committee meeting, I actually  
2 discussed how difficult this document was for me to get  
3 through, and I think we tried to brainstorm a few ways that  
4 we might actually help ourselves in reviewing the document,  
5 because there are two sites, landfill 8 and 10 and the  
6 preferred remedies, I guess, combined are going to cost 9  
7 or 10 million.

8           So it seems worth our trouble to maybe have a  
9 little bit more visualization of what's being discussed.

10           There are two alternatives, alternative 2 and  
11 3 and then there are subalternatives A, B, C, D, E, F, G  
12 for each alternative.

13           And so we talk about the idea of having some  
14 computer visualizations of 3-D models. So I wanted to  
15 check in with Craig and see if he had heard anything about  
16 that.

17           MR. COOPER: I talked to my consultant, and  
18 I asked them to put together some options for me. They  
19 did. They do know of some options, and so they are doing  
20 some research right now and putting together an informal  
21 memo as far as, you know, options on how to proceed, and  
22 they've actually -- I guess -- yeah.

23           There's various -- they're just not going to  
24 hold it for options they're looking at. Not only for  
25 engineering type concept on this, but they're going to



1 somebody who does like community relations and more public  
2 outreach-type things and see what suggestions they come up  
3 with, see what the techies -- the engineering firm will  
4 come up and see what we can put together for our project.

5 And so I expect them to be a week or two as  
6 far as options and I'll present those to you, but I think  
7 to keep costs down, you know, because I'm having them look  
8 at computer generated options, as well, so we might have to  
9 use the computer to look at a larger universe and  
10 then -- and then just use the physical models for a smaller  
11 subset, maybe two or three of the alternatives.

12 I really don't have much more to say than  
13 that other than we're still interested in information,  
14 selection mode. We're incurring a little bit of money on  
15 this. I think it's worthwhile; not only to help explain it  
16 to you all, but there will be other communication efforts.

17 The neighbors that live right off 15th Avenue  
18 and 16th, especially, because the homes at 16th have a  
19 really good view of landfill 10, and so they're going to  
20 need to know all of the kind of aesthetics issues  
21 associated with alternatives.

22 MS. TRIGIANI: Perhaps that can come out of  
23 the trust general communication and PR budget, that  
24 outreach question.

25 MR. COOPER: On landfill 10? It could. It

1 seems pretty specific to remediation, but, I mean, I hear  
2 you Mary.

3 I think I have just -- I'm trying, to the  
4 extent I can, to seek other departments' budgets to do  
5 stuff.

6 MS. TRIGIANI: Right.

7 MR. COOPER: I try to -- you know, if it was  
8 like -- I don't know -- associated with -- with the larger  
9 hospital project and they wanted to do some landfill --  
10 incorporate landfill 10, I'd say no. That's your -- you  
11 pay for it and you cover the aspects associated with  
12 landfill 10 --

13 MS. TRIGIANI: Right.

14 MR. COOPER: -- but I -- actually, that was  
15 the first place I went to.

16 I asked Chandler McCoy at the trust and said,  
17 "Hey, has -- I know that your project's kind of stalled  
18 there on the apartment/residential project, but did you  
19 guys do any physical models on your end that maybe I could  
20 go off of? Because then that would be really helpful for  
21 the larger community relation," and they said they hadn't.

22 They had just done some conceptual -- the EIS  
23 conceptual views, but nothing more than that, because, you  
24 know, sometimes builders do that with a little scale of the  
25 buildings and the people and the roads and stuff like that,

1 but no physical model had been built.

2 So it's back to us again, which typically  
3 seems to happen. If it were -- oftentimes the remediation  
4 is leading the show on these things, so no other department  
5 has really invested too much.

6 MS. TRIGIANI: I'm sorry.

7 FACILITATOR KERN: Go ahead.

8 MS. TRIGIANI: If they assume it's going to  
9 come out of the remediation budget, so why should they,  
10 right? It may be worth a general conversation on these  
11 issues --

12 MR. COOPER: Yeah.

13 MS. TRIGIANI: -- to try to get some sort of  
14 outreach support.

15 MR. COOPER: Right.

16 FACILITATOR KERN: Peter.

17 MR. O'HARA: Have you ever thought of going  
18 to them trying to find out if they could animate what it is  
19 you're trying to do, moving from -- moving through the  
20 various options with all of their suboptions and somehow  
21 taking the -- taking the concepts and animating them?

22 MR. COOPER: Mm-hmm. Putting them --

23 MR. O'HARA: I have absolutely no idea,  
24 something --

25 MR. COOPER: It's an interesting idea,

1 right.

2 MR. O'HARA: You've got a deep rural leader  
3 doing something like that that's paying your rent.

4 MS. TRIGIANI: They've extolled.

5 FACILITATOR KERN: Just so everybody knows,  
6 there was a -- over a year of discussion between the trust  
7 and the park service about these options.

8 I'm trying to read the document. I can't  
9 really figure it out. I'm asking for help. I think that  
10 help will be helpful to everyone to be able to begin and  
11 who pays for it -- I mean, it's going to be ten million if  
12 we do these options.

13 It's worth spending some money to see what  
14 the heck people were trying to figure out here.

15 MR. COOPER: Mm-hmm.

16 FACILITATOR KERN: And I agree. There are  
17 other options where we're to get the money from, but we  
18 need to get this.

19 MR. COOPER: I've scoped out \$7,000.00 for  
20 EKI to put -- not only give me this options memo on this,  
21 but at least -- we couldn't scope it out because we didn't  
22 know what the physical models would be, but it could end up  
23 -- the 7,000 could pay for everything or give us more than  
24 fifty percent of the way there. Just to give you a scale  
25 on how much I'm spending so far.

1 FACILITATOR KERN: That was just regarding  
2 landfill 8 and 10. I wanted to check in with Craig so  
3 everybody knew where we were in that -- that particular  
4 process.

5 MR. COOPER: Just so you know, like as far  
6 as putting together a comment letter, you feel like you  
7 really can't put things together until you get some models  
8 so you can help visualize on the alternatives and start  
9 having a conversation around that?

10 FACILITATOR KERN: Yeah. I mean, without  
11 getting into discussing the -- the two sites, there are --  
12 it's a very dense read, the document.

13 MR. COOPER: Yeah.

14 FACILITATOR KERN: I would have a lot of  
15 trouble trying to describe it to anybody personally without  
16 some kind of a model. I mean, I can barely even visualize  
17 it by looking at the figures.

18 I've never really had that problem with any  
19 of the documents that I've read. It's not that it's a bad  
20 document. It's just extremely dense.

21 MR. COOPER: Right.

22 FACILITATOR KERN: There's a lot of  
23 analysis, a huge amount of text.

24 MR. COOPER: For landfill 10, there's a lot  
25 of meaty component to it. It's really hard to show on a

1 2-D piece of paper.

2 How about landfill 8, anything that you think  
3 that I could be doing to help you re-review on the landfill  
4 8 portion of it?

5 FACILITATOR KERN: That's much more straight  
6 forward. There's not a lot of subalternatives and things.

7 MR. COOPER: Right.

8 FACILITATOR KERN: You excavate out the  
9 wings and the top layer and it's pretty straightforward.

10 MR. COOPER: Okay. Well, hopefully, I  
11 don't want to hurt myself, but I'm working on models.  
12 Maybe two RAB meetings from now, we'll have something put  
13 together. It will be a good goal for us.

14 MR. BERMAN: A comment on -- on the  
15 technical part that Doug is referring to are the set of  
16 appendices on 10 where all the diagrams are --

17 MR. COOPER: Right.

18 MR. BERMAN: -- and they are -- as far as in  
19 my reading, were never intended for anyone who isn't a geo  
20 engineer to read because the vocabulary is  
21 extremely --

22 MR. COOPER: Right.

23 MR. BERMAN: -- specialized.

24 MR. COOPER: Right.

25 MR. BERMAN: And so, you know, I think it's

1 a detailed report that only a person versed in the  
2 technical aspects.

3 But you can't figure out why they -- why the  
4 different A-B-C-D-E cost differences are without reading  
5 the appendix. Unfortunately you're stuck in doing that.

6 MR. COOPER: Mm-hmm.

7 MR. BERMAN: So I'm just adding comment to  
8 Doug's comments already that it's -- I think it's really a  
9 very good idea to do this, and I know over at UC in the --  
10 in landscape architecture, they do these projects all the  
11 time for this sort of thing, and we probably could get some  
12 good and cheap help over there.

13 It would be far less costly than -- than  
14 having EKI do it. A couple of students, they get assigned  
15 projects all the time as part of their assigned tasks.

16 MR. COOPER: Okay.

17 MR. BERMAN: I don't know anyone --

18 MR. COOPER: For example, I know we're not  
19 here to talk about -- actually, we are here to talk about  
20 207.

21 I am using Sonoma State to help fund an  
22 aspect of the 207 project, and they're a lot cheaper than  
23 using a consultant, yeah, for sure.

24 FACILITATOR KERN: With that, trying to move  
25 the agenda, let's move on to 207/231.

1 I know, Craig, you have a little bit prepared  
2 here and I had a -- I'm trying to prepare comments to send  
3 in to Jim on 207/231. We had a brief discussion in our  
4 last RAP committee meeting.

5 MR. COOPER: Yeah.

6 FACILITATOR KERN: And I just want to talk  
7 about that with folks here tonight, so why don't you review  
8 what you have.

9 MR. COOPER: I know -- we are on 1065 area.  
10 That was the corrective action plan area, and I think I  
11 presented at the last RAB meeting or is it two RAB meetings  
12 ago? It was the July one.

13 FACILITATOR KERN: I think so.

14 MR. COOPER: That was a much more detailed  
15 presentation, but on this one, I did a little presentation  
16 at the RAB committee meeting at the end of July and I have  
17 the document on CD.

18 I have both the 1065 one, if you didn't get  
19 that one at the last RAB meeting, and I have the one that  
20 we're going to talk about tonight, 207, the entire document  
21 is on on CD here.

22 I handed out both of these CDs at previous  
23 meetings, but if you missed it, there you go.

24 Basically let's just get to what we're  
25 recommending here. It's a creative action plan. That



1 means petroleum is the primary contaminant.

2 We broke -- it's a large area wide. I have a  
3 map here to show you where it is in a second, but  
4 basically, for all of the petroleum areas, we're  
5 recommending clean closure of the petroleum contamination.

6 That means dig it up, haul it away and do  
7 some groundwater monitoring for hopefully just three years  
8 to show that the clean closure worked, and then at one of  
9 the petroleum areas, building 228, due to access issues  
10 that the contamination's underneath the building and --  
11 that we're going to shoot some in situ oxygen release  
12 compound into it to try to knock at least the groundwater  
13 contamination down a little bit, but then that  
14 contamination will be trapped in landfill 8.

15 I know this is not the greatest photo. Just  
16 so you know where you are here, here's the east side of  
17 Crissy Marsh. Here's Doyle Drive, and the two large  
18 contaminated areas are here.

19 As you can see, it's between the marsh and  
20 Doyle Drive, and then the other one is in this area here at  
21 -- the former building 231.

22 Both were basically gas stations that leaked  
23 a whole bunch of fuel into the soil, and then there's some  
24 other miscellaneous petroleum areas as well on the site.

25 And just so you know, back here, the

1 eucalyptus, fill site 6A, these are the eucalyptus trees  
2 that go right into fill site 6A. That 72 inch storm  
3 drainpipe that we talked about crosses the site and goes  
4 into the marsh here.

5           These aren't great maps. I apologize for  
6 that, so they basically show more detail of where the sites  
7 are located at building 207 and 231.

8           Basically, but if you add up all of the clean  
9 closure work that we're going to do along with that one  
10 little site where we're proposing capping, it adds up to a  
11 total of 2.1 million to 2.4 million, and I need to explain  
12 why there's a little bit of range there.

13 Groundwater monitoring is in the ballpark of about 390,000  
14 for a total of, as you can see there, about 2.5 million or  
15 so.

16           And this is, you know, using our cost  
17 tracking and budgeting, we can talk about that more, but  
18 that was compared against where we thought we were going to  
19 be in 2004 for this site, and I looked it up again and it  
20 is still -- for example, back in 2004, we thought that this  
21 project was going to cost us 2.9 million.

22           The 1999 Army budget for this project was  
23 three million. So right now, we're still kind of at a --  
24 you know, an estimate stage, but we're coming in pretty  
25 much where we thought the -- what the project was going to

1 cost us.

2 FACILITATOR KERN: Mary.

3 MS. TRIGIANI: Craig, if you already said  
4 this, clean closure as opposed to the in situ and  
5 monitoring will cost what on that particular location?

6 MR. COOPER: The one that we have access  
7 props with?

8 MS. TRIGIANI: Yes.

9 MR. COOPER: You know, we basically -- we  
10 said that the clean closure one was non-implementable. I  
11 don't remember off the top -- I think we costed it out, but  
12 we said that it's just -- yeah. We would not -- the  
13 implementability is the problem.

14 We can't get out -- because a lot of it's  
15 gone underneath the foundation of the building. Coop.

16 MS. TRIGIANI: Okay. And the 2.9 million  
17 that was estimated at the last juncture before this one,  
18 did that include -- did that assume clean closure for the  
19 entire set of sites?

20 MR. COOPER: Yeah. I would say probably  
21 yeah.

22 MS. TRIGIANI: Thanks.

23 MR. COOPER: So as I put a little asterisk  
24 on the capital cost for the -- on the remedy because  
25 there's that range of 2.1 to 2.4 million, and so the

1 capital costs vary a little bit because the clean closure  
2 remedies have various backfill options, and the way I'm  
3 doing this is that I'm selecting all three backfill  
4 options, A, B and C.

5 I'm saying to Jim all three is within the  
6 overall scope of my remedy and so that's why my remedy had  
7 this range as far as cost, because each of these backfill  
8 options have a different cost associated with them.

9 So just so we're clear on this, I don't plan  
10 on, you know, redoing the document in a couple months and  
11 selecting one single backfill option. I am going to  
12 finalize the document giving me the flexibility to pick  
13 either of these three backfill options, and so I'm going to  
14 go over them quickly.

15 We've done this in small committee meetings  
16 again, but I think you will find this the most interesting.

17 Backfill option number A, so we're going to  
18 dig these big holes. Do we fill them back up again with  
19 clean soil or leave them open?

20 Option A is the one with very minor backfill.  
21 The holes would basically be water ponds. I'm using  
22 colloquial terms here so you can kind of get it. That  
23 means the groundwater would be -- it would be these little  
24 ponds of water.

25 Well, in some cases big ponds of water, and

1 so the costs in backfill option A includes a little bit of  
2 minor backfilling, because we wouldn't leave really steep  
3 slopes.

4 We'd have to put in a drainage overflow  
5 systems, so during heavy rains, the ponds wouldn't fill up  
6 and overflow the holes, so we'd want to siphon off the  
7 water and put it into the 72 inch storm drain that goes  
8 near the site and put some vegetation on the sides. That's  
9 option A.

10 Backfill option B is we'd fill it up with  
11 probably the nice dune sand that we've put in area 9; plop  
12 it over the holes enough to bring it up so you don't see  
13 the groundwater anymore.

14 So it would be indentation up and down and  
15 back up again, and that also we'd have to do a little bit  
16 of drainage just in case, to siphon off a little bit of  
17 water in the winter so it doesn't overflow.

18 But also on the bottom, too, because it's  
19 sitting in groundwater. Even though you wouldn't be able  
20 to see the groundwater, the sand would be wet and wet, and  
21 you'd be able to vegetate those holes in a creative way.

22 We'll be working with Terry Thomas in how to  
23 do that.

24 Backfill option C is completely backfilled up  
25 with clean soil. Whether we use sand or regular soil, we'd

1 have to, you know, make sure it meets some kind of  
2 compactability and pave over the top of it.

3 So even though it says restore to current  
4 status, that means if there was a parking lot there, we'd  
5 fill it up with soil and put asphalt over the top of it.  
6 Those are the three options.

7 And so you guys have got the documents and so  
8 I'm looking for comments, and for the 1065 cap, I think we  
9 talked about having comments in by the end of August I  
10 think is what we decided on 1065.

11 So on 207/231, I don't know where you guys  
12 are on your review, but maybe if this is not such a  
13 controversial document, maybe by the end of September. I  
14 don't know how Jim feels about that, if we're in the middle  
15 of August now.

16 How do you guys -- I mean, mid September.

17 FACILITATOR KERN: Right. I think that  
18 those of us that have looked at the document are happy with  
19 it. It reads really well.

20 There's -- it was very straightforward, easy  
21 to read, easy to see what's going on, The costs seem to  
22 be right out there, very understandable.

23 So the comment that I have about 207/231,  
24 1065 and perhaps fill site 6B is all these sites are  
25 overlapping in a general area right in between them, and so

1 kind of tracking which document is going to make sure that  
2 -- so the whole area is covered and something doesn't fall  
3 through the cracks, basically.

4 MR. COOPER: Mm-hmm. Okay.

5 FACILITATOR KERN: Because there is some  
6 element of 1065 where there's question marks out in sort of  
7 the western side of it, which is kind of overlapping fill  
8 site 6B --

9 MR. COOPER: Correct.

10 FACILITATOR KERN: -- and which is adjacent  
11 to what we're talking about here, 207/231.

12 So just -- maybe if we could have some  
13 feedback about all that is going to work. I haven't really  
14 been able to tell yet.

15 MR. COOPER: Okay.

16 FACILITATOR KERN: But in general, I think  
17 we're in agreement about everything's being handled, you  
18 know, excavated, taken care of, so --

19 Jim.

20 MR. PONTON: My perspective on 1065 -- I've  
21 told Craig this already -- is on the west side where we're  
22 relying on luck and a parking lot to deal with residual  
23 contamination that's kind of hit and miss, that luck is  
24 something that you would survey in a finite spacing that  
25 would be defined, but the blob that kind of lies underneath

1 that is kind of defined in a different section direction.

2 We need to talk about that. I'm -- honestly  
3 I'm not too wild about ponds. I like to stay away from  
4 groundwater at the surface, and I do have concerns about  
5 the MTBE that we see down pretty close to Crissy Field  
6 Marsh, because MTBE from my experience at Hamilton and  
7 other sites, nothing stops it. It runs like the wind, and  
8 there's nothing you can really do to remediate it.

9 I'm not -- I don't know why there's not  
10 another option of where we fill it, we have to asphalt it.  
11 Why we can't fill it and leave it as earth?

12 The next step would be improve with a parking  
13 lot. If we have a hole, a partial hole and then an asphalt  
14 parking lot, and I'd like to see if much thought has gone  
15 to have holes that are open that would attract birds,  
16 attract things to it that have petroleum contamination in  
17 it.

18 Usually with natural contamination of  
19 petroleum, we rely on the fact that it's not accessible.

20 So those are my points right now. I have  
21 concerns about the MTBE, concerns about the contamination  
22 of groundwater and leaving it accessible and opening it up  
23 to people and vectors and eco receptors can get to it, and  
24 then lastly how well defined the parking lot is. I have  
25 that on 1065.



1 MR. COOPER: So option B, backfill option B,  
2 that would -- under that option, groundwater would not be  
3 exposed.

4 MR. PONTON: Right. We'd still have --  
5 right.

6 MR. COOPER: So that one might be okay.  
7 I'm personally a little partial to backfill  
8 option B. I'm putting that out there. You were curious  
9 about where my mind is going on this project.

10 MR. O'HARA: I have the same concern with  
11 the ponds as I did with the groundwater when we were  
12 talking about landfill 6A. The standing water for  
13 residential areas to me is -- it's an open invitation to a  
14 problem.

15 MR. COOPER: Right.

16 FACILITATOR KERN: Bob, did you have  
17 something?

18 MR. BOGGS: You'd mentioned a concern about  
19 things falling through the cracks and the difference  
20 between 1065, 6B and different areas.

21 One of the things that might be requested --  
22 and he's essentially already started work on the archive  
23 search stuff, when we tie up the tight, we actually have to  
24 go through a process -- we actually have to do a RAP for  
25 the entire site which basically defines those areas that

1 are clean and why we think they're clean and have no LUCs,  
2 as well as defining those areas that do have some sort of  
3 residual contamination and an LUC attached to it.

4 So there actually will be a project, kind of  
5 when we start to tie things up at the end, where they have  
6 to kind of go and double-check and why we're saying like at  
7 6A this site is entirely clean.

8 There's no LUCs at all for eco receptors,  
9 human receptors or anything, but all this area outside it,  
10 that all needs to be tied up and put together at the end,  
11 and so there actually is a process for doing that.

12 FACILITATOR KERN: Jan.

13 MS. BLUM: If we do accept that preferred  
14 option that Craig has and we don't have standing water, my  
15 concern is how do we -- what provision will be made to  
16 connect hopefully the running water in Tennessee Hollow or  
17 whatever it is that we're calling fill site 6A right  
18 now --

19 MR. COOPER: Mm-hmm.

20 MS. BLUM: -- to Chrissy Marsh to execute on  
21 the vision of Tennessee Hollow watershed.

22 MR. COOPER: Right.

23 MS. BLUM: Will we have to pay for that  
24 again later? Will the RAB have to pay for that later to  
25 connect this water area, 207/231 to connect to Chrissy

1 Marsh? How does that fit into the picture?

2 MR. COOPER: Yeah. That would be part of  
3 the Tennessee Hollow watershed project, whatever that turns  
4 out to be, and so basically for fill site 6A, it is it just  
5 so happens that the remediation perfectly kind of luck --  
6 it depends on your perspective, but it kind of lucked into  
7 kind of, you know -- kind of setting the stage for the  
8 Tennessee Hollow project to easily fit into that piece.

9 We left it as a stream as the best way to  
10 restore the site.

11 207/231, the way the digging is happening, it  
12 doesn't fall into -- perfectly into the Tennessee Hollow  
13 vision, but it -- you know, that's why I think that if you  
14 want to have a comment and influence that process, comment  
15 on the backfill options that we select, A, B or C, because  
16 obviously if we go with option C, the full backfill and  
17 pave, then, you know, that would be -- that has the less --  
18 the least inertia toward a full Tennessee Hollow vision in  
19 that area, whereas backfill options A and B basically kind  
20 of get the thinking process going in that direction.

21 So I think that if you guys are really  
22 interested in that -- and I'd like to bring Terry Thomas.  
23 I'm really telling the planning department and the natural  
24 resources department saying I have written a document that  
25 provides you with maximum flexibility on what you want to

1 do this there.

2 I'm not the planning department, so I can't  
3 decide where Tennessee Hollow is going to go and not going  
4 to go, but I've written a document where this is our  
5 opportunity to coordinate, and they totally got the message  
6 and she needs to go out there and talk to senior staff and  
7 look at NEPA considerations and things like that and then  
8 hopefully get back to me by November 30th, 2006 by the  
9 time, you know, we start digging and so she can inform me  
10 on how -- what makes the most sense from a planning and  
11 future use perspective on how to backfill in this area.

12 I don't know that really answers your  
13 question.

14 MS. BLUM: It does. We just have to make  
15 sure that our comments include the bigger picture --

16 MR. COOPER: Right.

17 MS. BLUM: -- rather than just the site  
18 remediation, Doug's point how they all tie into one  
19 another.

20 MR. COOPER: Right. Backfill options, even  
21 A and B, it's obviously not the total Tennessee Hollow  
22 vision, but there would be some costs, some the remediation  
23 department is going to pay for it.

24 If someone wanted to finish Tennessee Hollow  
25 in that area, there's going to be costs even if we left the

1 holes open or partially open.

2 There's obviously more digging that would  
3 have to be there and more stream design or abandon the  
4 pipe. There will be some costs associated with finishing  
5 the Tennessee Hollow concept in that area, that the  
6 remediation department will not pay here.

7 MS. BLUM: Just one related curiosity  
8 question. If you did have water ponds in option A, how  
9 deep would you believe that those might be?

10 MR. COOPER: I think groundwater is around  
11 seven feet, yeah, deep in that.

12 MS. BLUM: Plenty deep.

13 MR. COOPER: Yeah. If you're standing at  
14 the ground surface, you look down at the bottom of the  
15 hole, and if the hole was at least seven feet deep, you'd  
16 start to see water surfacing there, seven feet below where  
17 you're standing.

18 MR. PONTON: One last point I want to make,  
19 I need to look at the cleanup levels, but if we have  
20 surface water, we'll have to apply more stringent surface  
21 water numbers.

22 MR. COOPER: I believe we did. I'm praying  
23 we got the cleanup levels right on this one. It was a  
24 pretty complicated site.

25 207 is a saltwater protection zone,

1 freshwater protection zone and it's potentially a surface  
2 water feature. So hopefully --

3 MR. PONTON: But I'm not sure if -- I'm not  
4 sure if we allow -- and I need to check into this -- that  
5 you have -- that you can create a surface water feature  
6 that allows attenuation to occur.

7 MR. COOPER: I see. Based on current  
8 levels.

9 MR. PONTON: Some of your levels are  
10 really -- tons of PPM with gasoline. There's a lot of  
11 stuff there.

12 MR. BOGGS: You'll have a sheen on your  
13 pond.

14 MR. PONTON: You'll have a sheen, an odor  
15 and a hazard.

16 MR. COOPER: After we remove the  
17 contaminated soil --

18 MR. PONTON: Potentially.

19 MR. COOPER: -- the groundwater will clean  
20 up, you know. We think within three years. That's our  
21 best estimate.

22 There's a lot of different factors that  
23 affect that kind of natural degradation of petroleum  
24 products in groundwater after you remove the source.

25 The first thing is to remove the source and

1 you wait to see how quickly the groundwater starts to clean  
2 up.

3 Okay.

4 FACILITATOR KERN: Well, that answers a lot  
5 of the item number 4 that I wanted to bring to everybody's  
6 attention, and it looks like between Craig and Jim and Bob  
7 and those of us reading it, those items are going to come  
8 together, and then we'll make some comments about how to  
9 leave the site and all that.

10 We did have one item that we added that we  
11 want to get in before the break, and Michelle was talking  
12 to me briefly before the meeting started about a possible  
13 opportunity with this license plate legislation.

14 MS. PASSERO: This was way before, so I  
15 don't know how many people have heard about it, but  
16 potentially the Presidio could have a license plate that  
17 could fund cleanup and restoration.

18 The idea originally came out of concerns  
19 about Mountain Lake, but it could apply throughout the  
20 Presidio, and there was legislation introduced earlier this  
21 year for the Sierra Nevada Conservancy and originally it  
22 was totally geared toward that, but based on recent court  
23 decisions, the legislature was forced to come up with how  
24 specialized license plates could be created. That  
25 bill could be changed to be somewhat more generic. It

1 doesn't apply to the Sierra Nevada Conservancy, but a more  
2 specialized license plate in general, and this bill,  
3 Assembly Bill 84 is -- has a hearing on August 16th in the  
4 Senate Transportation and Housing Committee and the way  
5 it's edited so far is that it allows -- it limits  
6 specialized license plates to state and local agencies.

7           There was a competing bill which is likely  
8 going to fail. This one has the most support behind it  
9 that actually had allowed federal agencies national parks  
10 within the state to be able to have a specialized license  
11 plate, as well, so I had just made some general inquiries  
12 about if there's support to -- you know, to keep it open,  
13 keep the options open so specialized license plates could  
14 include national parks like the Presidio, how would you go  
15 about doing that, and essentially it's contacting this  
16 committee and then the subsequent committee where there  
17 might be a greater impact for influence around this, which  
18 is the Appropriations Committee where Carol Migden is the  
19 chair.

20           And so the idea would be to ask them to keep  
21 the language broad enough to include federal agencies that  
22 would provide the opportunity for the Presidio to actually  
23 get -- apply to the DMV for a specialized license plate.

24           So I did talk to the Presidio Trust  
25 government relations person. She's aware of everything



1 that's happening, and the Presidio Trust certainly is  
2 limited as far as lobbying is concerned.

3 So one thing potentially that the RAB could  
4 consider doing is drafting a letter to -- and the one  
5 hearing on the 16th is pretty short turnaround to do a  
6 letter, and then I don't know what the date would be for  
7 the subsequent hearing, but if -- you know, if people are  
8 open to it, try to get a letter together over the next few  
9 days.

10 It would be fairly brief explaining who the  
11 RAB is, our interest and why we want to see the language  
12 broad enough to be able to include federal agencies like  
13 the Presidio that benefits the state and public citizens,  
14 and that would be the effect and then we could do the same  
15 with Carol migden and could certainly follow up with some  
16 phone calls, too.

17 MR. SUTTER: What would be the benefit to  
18 the trust for the remediation program?

19 MS. PASSERO: This would just be preserving  
20 the right for the Presidio Trust to be able to apply for a  
21 specialized license plate.

22 They would then in that application process  
23 have to explain the purpose of it, and then the legislative  
24 language also has some basic purposes, too, so it could be  
25 for conservation.

1           It has to fulfill state purposes, so it would  
2   be state and federal purposes, but public purposes like the  
3   Presidio is designed to be, and that would also incorporate  
4   cleanup and restoration.

5           MR. SUTTER:    Would the trust make money out  
6   of this?

7           MS. PASSERO:   Yeah. That would be --

8           MR. SUTTER:    That was the question that I  
9   wasn't clear on. Okay.

10          MS. PASSERO:   That would be the whole  
11   purpose.

12          MR. SUTTER:    Question answered. Thank you.  
13   So --

14          FACILITATOR KERN:   Bob.

15          MR. BOGGS:    Do we know what basis -- because  
16   Yosemite has a license plate already, and that's a national  
17   park. So I was wondering if there's maybe already some  
18   basis for the federal agency.

19                I don't know how that one already came about,  
20   but there might already be language or legislation that  
21   might allow the Presidio to pursue it already.

22          MS. PASSERO:   Well, the court -- the effect  
23   of the court decision was if it just put a stop to the  
24   whole program, because the state now has to develop  
25   more -- the courts are saying the state's sort of willy

1 nilly making a special interest, with government endorsing  
2 special interest.

3 So the government has to come up with a more  
4 objective way of allowing the license plates to occur.

5 The Yosemite one -- and actually the Presidio  
6 government relations person asked us, too. It could be  
7 through the Yosemite Institute that that plate came about,  
8 which is a non-profit, but we should just take a look at  
9 the original language, anyway, because the existing  
10 precedent adds more argument for maintaining it, so --

11 MS. BLUM: Michelle, did I understand you to  
12 say that you have talked to the Presidio Trust legal  
13 department about pursuing this?

14 MS. PASSERO: Well, I don't think she could  
15 actually tell me one way or another at least at this point  
16 what we're going to do.

17 MS. BLUM: Mm-hmm.

18 MS. PASSERO: She said she was going to look  
19 into it, and I think she's pretty clear in stating that the  
20 Presidio Trust can't lobby, per se. They may be able to  
21 make suggestions. Who knows?

22 MR. COOPER: Right. I think that we can't  
23 write -- we can't write a letter about any type of pending  
24 legislation. We're forbidden -- any federal agency is  
25 forbidden from doing that.

1                   We can't get involved in that, but that's  
2 what's so great about Michelle, this group. Perhaps Golden  
3 Gate National Park Conservancy.                   Dana  
4 Polk, when she said she's going to look into it, I'm 99  
5 percent sure that's going to call up the Park's  
6 Conservancy, why don't you write a letter. They can. We  
7 can't. The Parks Conservancy can. I don't know why you  
8 guys couldn't. I don't really know how that parks.

9                   As long as you don't put it on Trust  
10 letterhead. I couldn't sign the letter.

11                  Michelle, you're the attorney. The RAB -- I  
12 don't know what legal standing you have as far as --

13                  MS. PASSERO: We just represent the public  
14 people in the area, so that's our standing, we're  
15 constituents to Carol Migden and other legislators who --  
16 who'd be interested in doing it, so --

17                  MR. COOPER: Right.

18                  FACILITATOR KERN: I think we could -- if we  
19 chose to write a letter, we could certainly write it as a  
20 group of individuals with interests in the Presidio.

21                  I don't know that the RAB is an  
22 officially -- we're official, but not in terms of that kind  
23 of a body.

24                  So -- but I guess what I'm interested to know  
25 is whether people would want to take the time to get some

1 kind of a letter in from us before next week to leave our  
2 option open.

3 MS. BLUM: I absolutely think it's a  
4 wonderful idea, first of all. I liked it when I first  
5 heard it.

6 I do think it would behoove us to make a  
7 phone call to Brian Neal's office, whoever. Dana Polk, is  
8 she trust?

9 MR. COOPER: She's trust.

10 MS. BLUM: I think we should contact the  
11 Golden Gate National Parks people.

12 MR. COOPER: Conservancy.

13 MS. BLUM: They have how many different  
14 national parks that they may want to -- I don't know.  
15 Maybe the language is so generic that we wouldn't have to  
16 name the Presidio, but there are so many parks to Golden  
17 Gate National Recreation Area that might be interested in  
18 having their own license plate, too, that it would be good  
19 if we could make it generic enough so that it would include  
20 all the parks in GGNRA is the point.

21 I think we ought to contact the Park Service  
22 and talk about that and tell them what we're doing.

23 FACILITATOR KERN: John.

24 MR. BUDROE: Communication's not a bad idea.  
25 You'd probably have to make the language generic enough so

1 that all the national parks would be able to benefit, so  
2 everybody who wanted to go through, putting a license plate  
3 proposal that would be successful, and I think DMV would  
4 pretty much insist that you have to guarantee that you're  
5 going to sell so many license plates. Otherwise it costs  
6 DMV money so that makes them specialty.

7 I don't see why there wouldn't be any reason  
8 why the RAB couldn't put a letter out as the RAB since  
9 we're not federal employees. We're not bound by those kind  
10 of strictures that Rob was talking about.

11 FACILITATOR KERN: Would there be at this  
12 point consensus around putting a letter together? Are  
13 people okay with doing something? Am I seeing heads  
14 nodding yes? Any objections?

15 MR. BERMAN: I don't have an objection, but  
16 I'd just like to discuss the point.

17 In this letter, it would seem to me you have  
18 to sort of state your reasons, your interests, I mean, and  
19 if you're parochial about it and you say we're the RAB and  
20 we're worried about the cleanup actually occurring within  
21 the limitations of the funds and we see this as a possible  
22 way of adding funds to a possible deficit, you know, that's  
23 a very parochial letter at one end of the spectrum.

24 The other end is not to mention anything at  
25 all, but to say that we are involved in national parks and

1 we represent the public and we think that the national --  
2 all national parks should have the opportunity to  
3 participate in this license plate and just -- without  
4 mentioning anything parochial whatsoever, and it seems like  
5 in either case, we could do this as the RAB and not  
6 necessarily as individuals because we can start out and say  
7 we are involved with -- with the national park and we think  
8 that the idea of having the possible of additional  
9 conservation funds for the parks are -- would be a great  
10 idea.

11 So, I mean, that's the other end of the  
12 spectrum. I'm not saying whether we want to get something  
13 in between in the letter, but if you go the general route,  
14 it's a very short letter, it seems to me. It's a one  
15 paragraph letter that says it's our understanding this is  
16 under consideration and that we as a public organization  
17 involved with a national park would be delighted if, in  
18 fact, there was this opportunity eventually, and it would  
19 just be, you know, maybe a five sentence letter.

20 MS. PASSERO: Sorry. I think we could do  
21 both, because I think there's merit in grounding it in an  
22 example.

23 MR. BERMAN: Right.

24 MS. PASSERO: And especially to appeal to  
25 Carol Migden who's in San Francisco. It's going to mean a

1 lot more to her if there's a specific example.

2 We could do both because it does have  
3 implications for setting a precedent for national parks  
4 within the state and why they -- and using the Presidio as  
5 an example why you shouldn't shoot yourself in the foot by  
6 trying to come up with these narrow guidelines.

7 FACILITATOR KERN: Peter, Sara and Gloria.

8 MR. O'HARA: Michelle, I have a question  
9 regarding the -- whether we can legally write a letter like  
10 that because this is an organization that was set up by the  
11 federal government to oversee cleanup of military bases.

12 We have the public as our constituency, but I  
13 don't know whether the same prohibition about lobbying for  
14 legislation applies to our organization the way it does to  
15 the trust or a state agency.

16 I think that before we start writing a letter  
17 as the Restoration Advisory Board, that ought -- that legal  
18 question should be answered once and for all.

19 MR. BERMAN: Well, I can give you a little  
20 insight into that. The purpose of that law is not to lobby  
21 for legislation that has financial implications for you as  
22 a -- in federal employment.

23 A program or the future of your job, and  
24 that's the purpose of that restriction, and we're not -- we  
25 are unpaid and we're not asking money -- for money for us,



1 so I think that legally, we're in a -- we have no -- no  
2 restriction on that, but I -- I know, for example, that  
3 cities have -- will -- city councils, you know, where  
4 they're not paid will write all kind of letters all the  
5 time. As long as there's no money implication that seems  
6 to be okay.

7 MS. PASSERO: The only area -- maybe we  
8 could just double-check our bylaws to make sure -- I think  
9 several of you worked on that. I know you did, if there's  
10 something that would keep us from doing that.

11 MS. YAROS: A quick phone call. We don't  
12 have to guess. Michelle could probably find out.

13 MS. PASSERO: I can check. We're not  
14 necessarily a legal entity like a governmental entity,  
15 so --

16 FACILITATOR KERN: Sara, you had --

17 MS. SEGAL: Yeah. I missed the earlier  
18 discussion. I don't know what the -- what created or  
19 caused the judge to stop all the specialized license  
20 plates, but I do know in Florida, they have -- I think it's  
21 an Everglades one and there's a Save the Panther and a  
22 manatee and all sorts of ones, but right now the question  
23 before us is whether or not this -- to re- invigorate the  
24 license plate program apparently after the judge who  
25 stopped it, do we want to make it broad enough so that

1     should there be an opportunity for additional license  
2     plates, the Presidio would be one of those.

3                   MS. PASSERO:     Right.

4                   MS. SEGAL:     That's what the immediate issue  
5     is.

6                   I was even thinking -- but August 16th  
7     wouldn't work for me. Someone could go and speak before  
8     the committee, too, and just -- just give -- not a letter.  
9     Just say -- next week sounds too soon.

10                  MS. PASSERO:     Right.

11                  MS. SEGAL:     We're supporting the idea of a  
12     broader statute. You said there were competing bills, too.

13                  MS. PASSERO:     Yeah.

14                  MS. SEGAL:     I think it's a good idea, and I  
15     think if our bylaws don't prohibit it, I think a letter  
16     would be --

17                  MS. PASSERO:     One of them is a tie-in with  
18     cleanup and a rationale for why there's an interest on  
19     behalf of the RAB, it ties in with the purpose of the RAB,  
20     too.

21                  FACILITATOR KERN:   Well, I would propose  
22     this since this came up late in our -- we haven't really  
23     had too much time to review it.

24                  If we -- between Michelle and myself and  
25     anyone else who would like to write this five line letter

1 that we write it up and we'll send it around, and if anyone  
2 has any objections at the same time, we'll investigate  
3 whether there's any legal issue, and if there's no  
4 objection, then I would say we would be empowered to send  
5 such a letter.

6 If you read it and you find that you have any  
7 objections, then we'll hold off on sending it.

8 Anybody -- I'm just trying to move this  
9 along, but if there's a better idea -- Jan.

10 MS. MONAGHAN: If we could just get -- who  
11 would we address the letter to, send that around in an  
12 e-mail. We could just send that off as an individual, as  
13 well.

14 MS. PASSERO: We would want to fax it in,  
15 because the hearing's on the 16th. We'd want to fax it on  
16 the 15th, so they would have it the day before. But I can  
17 let you know.

18 FACILITATOR KERN: Gloria and John.

19 MS. YAROS: Who could not like it, but I  
20 have just a couple questions.

21 Does anybody have any idea how much money  
22 this would generate and how does it work? The price that  
23 people pay above and beyond a regular plate, that amount  
24 goes to the --

25 MS. PASSERO: The DMV gets a piece for

1 administration. It's not a ton of money. Right now  
2 Yosemite as an example. They make one and a half to two  
3 million dollars a year, but, you know, over time, that  
4 could make a big impact.

5 I don't know if the Presidio over several  
6 years, that will help.

7 MR. COOPER: That's a lot.

8 MS. YAROS: Do you get to keep those plates  
9 for ten years?

10 MS. PASSERO: The people do who buy them.  
11 John's right, there have to be 7,500 applicants to -- to  
12 get it going for the DMV to do it, the way the  
13 legislations's written right now, and then there has to be  
14 a maintained interest in order for the program to continue,  
15 assuming it's successful, but the individuals who purchase  
16 it are able to keep it for the life of, you know, that car.

17 FACILITATOR KERN: John.

18 MR. BUDROE: Okay. It's going to make a big  
19 difference to have a letter going and even  
20 potentially -- and that's a really good idea, individual  
21 testimony coming as the group rather than individuals.

22 The impact is much greater, so -- and I guess  
23 it would be -- since questions have been raised, it would  
24 probably be worth asking the question of Presidio Trust  
25 legal, but I'm under the impression that this is a

1 community group that's recognized by the federal government  
2 in the form of the Presidio Trust.

3 This is not an entity of the federal  
4 government, so there would be no reason why we wouldn't  
5 couldn't go ahead if -- and take a position on a bill  
6 that's before the state legislature.

7 There shouldn't be any problem with doing  
8 that, but it would be an advantage definitely to have a  
9 letter go out from the Restoration Advisory Board, and even  
10 if somebody can make the trip up to Sacramento and testify  
11 at the committee hearings, that would be great.  
12 It's really nice.

13 At the end of the bill summaries, there are  
14 groups opposing, groups in support. The more groups that  
15 you have in support, once the language in the bill gets to  
16 where you want it, the better.

17 FACILITATOR KERN: Jan.

18 MS. BLUM: Since we're -- what's to  
19 guarantee that the RAB will get the money? Isn't that  
20 something that we have to work out with the trust?

21 MS. PASSERO: This is sort of step one.

22 MS. BLUM: Okay.

23 MS. PASSERO: And then continued pressures.

24 MS. BLUM: Legislative first.

25 MR. HULTGREN: On that point, I don't think

1 the RAB -- I don't think it should be earmarked for the RAB  
2 at all for a couple reasons. One reason being that the  
3 license plate program will go on almost in perpetuity. We  
4 don't. The RAB will end at some point when the remediation  
5 has been completed.

6 MR. BERMAN: You couldn't write the letter.

7 MR. HULTGREN: I don't think the sales  
8 aspect of trying to sell something that's going to be used  
9 for in a particular project in the Presidio is going to  
10 sell much. People are going to say, "Well, wait a minute.  
11 Isn't that the obligation of the Army or the trust or  
12 something? Why should we buy a license plate for something  
13 that's already funded? A hundred million dollars." So  
14 those are my thoughts.

15 MS. PASSERO: The license plate would  
16 actually say "the Presidio" and it would probably have --  
17 it could have a symbol like what's on the presentations we  
18 saw today, and so that's why likely when the Presidio --  
19 the program that the Presidio would apply for, it would  
20 likely be broader than just cleanup. It would likely be  
21 cleanup, restoration and maintenance.

22 MR. HULTGREN: I think it should just go to  
23 the trust. If we can make an understanding with the trust  
24 that the money they get will be used for cleanup, that's  
25 different, but I don't think it should be earmarked for

1 restoration, cleanup and whatever.

2 FACILITATOR KERN: Are there any objections  
3 to the concept of writing a letter to preserve the option  
4 of having this proceed down the road coming from the RAB?

5 Seeing no objections, we'll try to write such  
6 a letter and send it around.

7 We now have a few moments for a break. I  
8 have cut into my agenda significantly with this item, but I  
9 think we're well prepared for our next item, so hopefully  
10 -- I may ask to borrow a little bit more time after the  
11 break.

12 (Recess taken).

13 FACILITATOR KERN: So I have a couple of  
14 options here. We have letters from the cost tracking  
15 administrative working group, been working on this for a  
16 number of months.

17 An option would be to review this on the  
18 record, talk about it or adjourn the meeting and have an  
19 executive session to finalize the -- these letters before  
20 sending them off.

21 There are two letters. One is to Craig  
22 Middleton that talks about the general concern that we have  
23 with projected overruns and other issues, and then more of  
24 a detailed letter to Craig Cooper that itemizes some of the  
25 issues that -- perhaps that need to be worked on in the

1 cost tracking.

2 So as my normal way of doing business is to  
3 kind of open it up briefly under the record to talk about  
4 how folks would want to handle it.

5 Do you want to deal with it out on the record  
6 with Craig here or adjourn the meeting officially and --  
7 and have an executive session where we talk about it?  
8 Gloria.

9 MS. GEE: I thought from our committee  
10 meeting, our last committee, I thought the idea was to  
11 present it so that it would be as part of the official  
12 record that there was this letter being considered, but  
13 since we've already been through the e-mail, I think a lot  
14 of review, I don't see really the point of, you know, doing  
15 that again unless there's -- I thought we already had the  
16 finalized version for review right now.

17 Is that correct?

18 FACILITATOR KERN: Yes.

19 MS. GEE: So -- I mean, shouldn't it be  
20 really minimal discussion? Those that have interest have  
21 gone through it by e-mail.

22 FACILITATOR KERN: That's my perception.  
23 There are others that have different perception, but I  
24 wanted to at least give folks the opportunity to --

25 MR. TRIGIANI: The ones who don't share your



1 perception, do they want more discussion?

2 FACILITATOR KERN: They're concerned about  
3 talking about issues that -- that it might be  
4 unprofessional to talk about these kinds of issues with  
5 Craig present.

6 MS. TRIGIANI: Well, if it -- if it's being  
7 put to a vote, that's one thing, but if there's going to be  
8 a lot of discussion, then perhaps -- and I don't want to  
9 delay it.

10 I know everybody's been working hard, but if  
11 there's going to be significantly more discussion that's  
12 already started privately and in committee, shouldn't it  
13 continue there until this thing is completely final and  
14 then the vote happens and is presented to the trust, to all  
15 parties at the trust or -- I mean --

16 FACILITATOR KERN: It seems to me that we  
17 have letters that if we pass them out, people would be  
18 happy with them.

19 I mean, most people have reviewed them and  
20 have commented on them, so I don't anticipate a lot of  
21 discussion.

22 Dave.

23 MR. SUTTER: Yeah. My concern is that if  
24 there is a lot of discussion as there has been at the  
25 executive sessions and committee meetings, then we should

1 continue the discussions in an executive session.

2 Now, if -- if the group feels that, you know,  
3 they would just simply accept the letters pretty much as  
4 they've been worked out and hammered out by the working  
5 group, then let's just continue this meeting and get it  
6 over with, but if it's going to get into a lot of  
7 discussion and we're talking about performance issues, et  
8 cetera as we did in the executive committee meetings on  
9 these topics, then I feel we should -- we should continue  
10 those kinds of discussions in executive session.

11 FACILITATOR KERN: That seems fair.

12 Julian.

13 MR. HULTGREN: I'm kind of disappointed that  
14 we don't have a recommended letter form in front of us  
15 tonight.

16 FACILITATOR KERN: We have it. It's in this  
17 package.

18 MR. HULTGREN: Do you have enough to pass  
19 out?

20 FACILITATOR KERN: I certainly do.

21 MR. HULTGREN: It seems to me if we looked  
22 at those -- just an initial feeling of whether anybody  
23 wanted to discuss it further or make further  
24 recommendations, then we could maybe decide whether to  
25 continue tonight or put it off for a few weeks.

1 FACILITATOR KERN: That seems reasonable, as  
2 well.

3 MR. SUTTER: I'm not suggesting we put it  
4 off. I'm suggesting we come to a resolution on the letters  
5 tonight.

6 FACILITATOR KERN: Right.

7 MR. SUTTER: The question is whether we do  
8 it in open or closed session. I'm not suggesting we do it  
9 another couple of weeks.

10 FACILITATOR KERN: So the letters are going  
11 around. Review them, take a look at them. We'll see if  
12 there's going to be much discussion. If there is, we'll  
13 have an executive session.

14 MR. BERMAN: There's two letters coming  
15 around, right?

16 FACILITATOR KERN: Yes.

17 MS. TRIGIANI: Do you need any moves or  
18 motions?

19 FACILITATOR KERN: I would like to make sure  
20 everybody has had a chance to finish.

21 MS. TRIGIANI: Oh, sorry.

22 MR. BERMAN: Can we make a comment if it's  
23 appropriate?

24 FACILITATOR KERN: Sam.

25 MR. BERMAN: I participated in both of these

1 and agree with them personally. I'm satisfied with the  
2 letters, but I think the signoff on the letter to Craig  
3 Cooper should be from the RAB and not from the RAB Finance  
4 Committee.

5 I don't think that we should send out letters  
6 from committees at all, and especially since it starts off  
7 -- the letter starts off by saying RAB members.

8 FACILITATOR KERN: Sara.

9 MS. SEGAL: You'll tell me if this is a  
10 question that I either should know the answer to or not.  
11 When you're talking about appendix D, I don't even  
12 understand what that sentence means, page 2, blow-up.

13 MS. MONAGHAN: Appendix here is off a detail  
14 on a project and rolls up.

15 MR. HULTGREN: I can't hear the answer to  
16 that question.

17 MS. MONAGHAN: Appendix D is all the detail  
18 on every project and it rolls up to appendix A, which is  
19 the overview. So each level A, B, C, D, each level's more  
20 detailed.

21 MS. SEGAL: Ah.

22 MS. MONAGHAN: And D is where the detail is,  
23 which is why we addressed the detailed form.

24 MR. BERMAN: D also stands for devil.

25 MR. HULTGREN: Would that language be

1 readily understood by someone in construction?

2 MS. MONAGHAN: Well, it's based on the form  
3 as the way the trust has deserved it.

4 MR. HULTGREN: This term "roll-up" and so  
5 forth?

6 MS. MONAGHAN: Oh, yes.

7 MR. ANDERSON: I mean, your explanation that  
8 it should go to other levels would seem to be an  
9 appropriate completion of the sentence.

10 MS. SEGAL: As long as Craig understands it,  
11 I'm happy.

12 MR. BERMAN: Yeah. I mean, we get reports  
13 all the time with such specialized vocabulary that we can't  
14 even find it in the landfill 10 report, and there were  
15 reports that I could not find in a dictionary -- in a  
16 scientific dictionary.

17 I had to go to a specialized geological --  
18 geophysics dictionary.

19 FACILITATOR KERN: I do want to say that  
20 with respect to the letter to Craig Cooper that we will  
21 need to be in discussion with Craig.

22 The representative group will be meeting and  
23 giving him additional details about these in case he has  
24 questions.

25 Sara.

1 MS. SEGAL: I have one last question, the  
2 young man, Alan.

3 FACILITATOR KERN: Alan Anchuta.

4 MS. SEGAL: Is he still employed?

5 FACILITATOR KERN: Yes.

6 MS. SEGAL: Just checking.

7 MR. HULTGREN: If that's the intention to  
8 have a meeting, then it should be said here to that effect,  
9 and I don't think it says anything about it. Just a simple  
10 sentence "please contact us to arrange a meeting," whatever  
11 the subgroup or something from the RAB. The other  
12 thing that we might -- I don't know if you want to think  
13 about this, too. The fourteen points are presented here  
14 and maybe you have said this at the meeting, but I'd like  
15 to hear a reply to these points from Craig, and I think he  
16 is entitled to give us a reply.

17 I'm not trying to pick on him, but I think  
18 it's appropriate for him to tell us yes, we can do this, or  
19 no, we can't. But maybe you could do that if you have a  
20 meeting.

21 FACILITATOR KERN: Right. I suppose what  
22 I -- at this point --

23 MR. COOPER: Just the next quarterly  
24 financial report is going out at the end of this week. So,  
25 you know, when we had the meeting after I handed out the

1 first report, we had a meeting and I took notes. You guys  
2 gave me a whole bunch of off-the-cuff comments at this  
3 point. Some of them are in this letter and some aren't.

4 To the extent that I took notes on this, the  
5 Q3 report addresses a lot of these comments, like we do a  
6 variance report now, and a lot of zeros have disappeared.

7 We distributed the label. A lot of things  
8 that you gave us feedback on report number one. I always  
9 envisioned that each report will get better.

10 There might be some things here the monthly  
11 thing is going to be a little troubling for me, but a lot  
12 of these other things, they don't look all that hard, but  
13 again, a lot of them I've already started to work on and  
14 hopefully when we get report number two, it's going to be a  
15 better report.

16 So that's my reaction to that letter, and I'm  
17 much less concerned of letters to me. If you want to meet  
18 with me, you can either -- you should send your letter and  
19 not wait for me to, you know, send out report number two,  
20 because then I'll have to look at it and decide which  
21 comments were responded to and which not. Send your  
22 letter. I send out report number two and then we'll have a  
23 meeting about where things have gotten better and where  
24 things, in your opinion, still need work.

25 The one to Craig Middleton, the only -- I

1 can't tell you what to write, but my recommendation would,  
2 you know, say a little bit about, that we have made some  
3 progress.

4 It just kind of goes right into the problems  
5 and it doesn't -- it doesn't mention the fact that, you  
6 know, over -- you know, over the last two years, there's  
7 been a big increase as far as more recent financial  
8 information and, you know, we hired the financial analyst,  
9 and I think that it doesn't talk about any of that progress  
10 part. It just kind of talks about the negatives. That's  
11 mine.

12 FACILITATOR KERN: Thanks. Dave.

13 MR. SUTTER: Regarding the cost tracking  
14 summary reports, we expect there's going to be a few  
15 iterations before they're finally complete and finally  
16 accurate. So we would suggest that you crank them out.

17 MR. COOPER: Send them out, right.

18 MR. SUTTER: As much of these comments that  
19 you may not have seen before, although we've discussed  
20 these things before.

21 MR. COOPER: Right.

22 MR. SUTTER: That you can include within  
23 your deadline for getting this next iteration out, my  
24 suggestion would be get as many things that you can get.

25 Regarding the progress. We recognize there's



1 progress. The letter says the reports are still deficient.  
2 It doesn't say there has not been progress. It says the  
3 reports are still deficient, and they still are. So it's  
4 simply reflecting the state of play at this point.

5 FACILITATOR KERN: I move for a motion now I  
6 think at this point from the group, and then we can discuss  
7 it more regarding these letters.

8 MS. BLUM: I make a motion that the RAB  
9 accept the letters as written with minor alterations as the  
10 chairman and co-chair see fit and that we move to the next  
11 step.

12 MR. BUDROE: Second.

13 MR. CALLANAN: Second.

14 FACILITATOR KERN: Is there any more  
15 discussion about the letter?

16 Seeing no discussion, all in favor of the  
17 motion, please raise your hand. Opposed?

18 MR. BERMAN: You didn't count Peter in your  
19 count.

20 FACILITATOR KERN: Okay. Any abstentions?  
21 (One abstention).

22 FACILITATOR KERN: All right. Thank you.  
23 Motion carried.

24 Are there any other -- yes, Julian, please.

25 MR. HULTGREN: I think we should also give

1 approval to the group that is going to -- that we hope is  
2 going to meet with Craig Middleton.

3 In other words, I think we've kind of --  
4 generally it would be the same group that has dealt with  
5 the financial questions, but I don't think that group has  
6 ever been formally approved by the RAB, and I think it  
7 should be at this point so that we'll be able to go to  
8 Middleton and say that they are the group appointed by the  
9 RAB to discuss these issues.

10 FACILITATOR KERN: Very well. While we have  
11 everyone here, so far the group that has been meeting as a  
12 core group to discuss this has included Dave and Mark and  
13 Jan and myself and others have participated, Gloria and Sam  
14 have participated in making comments.

15 So if you would like to designate a group  
16 formally, who would you see? I did -- I think Gloria's  
17 actually added quite a bit of comments. It would be nice  
18 to have her along if she would like. So we have four of us  
19 and perhaps five.

20 MR. HULTGREN: That would be five with  
21 Gloria, and what about Sam? Would he be --

22 MR. BERMAN: I think the group is already  
23 too big. If you draft me, I'll go, but it's better to make  
24 it smaller, personally.

25 MS. GEE: I think you could have a pool like

1 a subgroup, and depending on when the schedule is that's  
2 convenient to Middleton, it might be just three of the  
3 people that will be available to do it.

4 So you can pick from that group, you know.

5 MS. PASSERO: It seems like three people  
6 would be sufficient.

7 FACILITATOR KERN: All right. Julian, do  
8 you want to make a motion or --

9 MR. HULTGREN: I'm just trying to think  
10 here. I'm wondering if we have five -- a group of five and  
11 then three are selected, how are those three to be  
12 determined is the problem? And --

13 MS. PASSERO: Probably by who's available,  
14 right?

15 MR. HULTGREN: Why don't we have three and  
16 then name two as substitutes or --

17 MS. TRIGIANI: Alternates.

18 MR. BERMAN: Alternates.

19 MR. HULTGREN: And if that's the case, I  
20 would move that we approve a group to meet with Craig  
21 Middleton, and that group consists primarily of Doug and  
22 Mark and Jan with alternates being Sam and Gloria.

23 MR. BERMAN: I think you have to have Dave  
24 in there.

25 MR. SUTTER: Thanks for giving me a break.

1 FACILITATOR KERN: I'm sure the reporter  
2 blocks his view of you, Dave.

3 MS. BLUM: Jan Monaghan.

4 MR. HULTGREN: Let me amend that motion that  
5 the group consists of Jan Monaghan, Dave Sutter, Mark  
6 Youngkin and Doug Kern with -- group of four with an  
7 alternate of Gloria Yee, unless Sam wants to be an  
8 alternate.

9 MR. BERMAN: No. I think you got too many  
10 already.

11 MR. HULTGREN: That's enough. Okay. That's  
12 it. Four designated and one alternate. I so move.

13 FACILITATOR KERN: And I'll second.

14 Is there any discussion? All opposed say  
15 aye? All in favor, please say aye. Opposed? Motion  
16 carried.

17 Thank you, Julian.

18 Are there any other items for us tonight? As  
19 far as action items, I'm to contact NRDC about the Freedom  
20 of Information Act.

21 MR. BERMAN: I think you need to send the  
22 final letters out to people, too, because there are some  
23 minor changes.

24 FACILITATOR KERN: Yes.

25 MR. BERMAN: I think that's another action

1 item.

2 FACILITATOR KERN: Right.

3 MR. COOPER: I'd like to say I'm very  
4 disappointed with the letter to Craig Middleton. I don't  
5 think it's right.

6 MR. BERMAN: Are you disappointed because  
7 you think it has -- it has a pejorative connotation on your  
8 department?

9 MR. COOPER: I don't think -- I don't think  
10 it's accurate in what's gone on in the last two years. So  
11 if you just pick it up and read it, I don't think it's an  
12 accurate summary of what's happened in the program in the  
13 last couple years and I'm extremely disappointed.

14 MS. PASSERO: I think the way the resolution  
15 was passed, there's room for minor changes from the chair  
16 and co-chair.

17 FACILITATOR KERN: Yes.

18 MS. WRIGHT: I abstained because A, I  
19 haven't been here for a while, but I also have been on the  
20 RAB long enough to know a little bit about the issue, and  
21 when I read of the letter, I sort of agree with Craig, but  
22 I don't want to -- I don't want to undermine any of the  
23 work that's been done here.

24 I just wanted to add that if Jan's motion can  
25 include some sort of acknowledgement of progress, I'd feel

1 more comfortable with it, but again, my apologies if I'm  
2 being disrespectful for the process that I've missed, so --  
3 but as someone who hasn't been here for a while and seeing  
4 the letter for the first time tonight, I think maybe if  
5 some of those minor modifications could include some of  
6 Craig's comments tonight, I'd be more comfortable with it,  
7 but I will stop there.

8 FACILITATOR KERN: Julian.

9 MR. HULTGREN: For your thinking, if you're  
10 going to make minor modifications, you might look at the  
11 second paragraph in the last sentence which says: "Despite  
12 two years of effort." You might stick a sentence in before  
13 that saying "there has been successful improvement of the  
14 system. However, despite two years of effort, the system  
15 is sill inefficient."

16 MR. BERMAN: And if you want -- in one of  
17 the drafts that I wrote up, I included two sentences that  
18 said that, so if you want to, you know, have it written out  
19 in fairly careful way pointing that out, if you still have  
20 my draft, there is that language in there.

21 FACILITATOR KERN: Okay. Well, Craig, so you  
22 know, this is -- this particular issue has not -- was not  
23 developed to be unfair and I can tell you that a letter --  
24 a much different letter was put out initially, and there  
25 are some strong feelings and much of those feelings were

1 directed at me about the initial letter that I put out.

2 But the RAB has a way of trying to  
3 communicate something that they believe in strongly, and  
4 there was a great amount of desire within the group to  
5 project a strong sentiment about this, and I respect what  
6 the group is doing.

7 It is not intended to be a, you know --  
8 suggestive that there has not been progress. It's looking  
9 to what needs to be done to finish it.

10 So I think --

11 MR. COOPER: Then put that message in the  
12 letter. That's all.

13 FACILITATOR KERN: Right.

14 MR. COOPER: If that's what you meant to  
15 say, that's not what I read. That's my only comment.

16 MS. PASSERO: I'd be okay if the minor  
17 amendments made included Sam's sentences, but, you know,  
18 it's up to your discretion.

19 FACILITATOR KERN: All right. Well, we have  
20 the letter, we have our vote and I will -- I'll be talking  
21 with some of you individually, but we have the letter, we  
22 have the vote.

23 Are there any other items for discussion for  
24 tonight?

25 MS. SEGAL: I just wanted to say -- on a

1 positive note, on the Presidio Post that just came out to  
2 everybody, there's -- they talk about the Website and the  
3 cleanup program, and I really think whoever puts it  
4 together -- and I know George is the construction  
5 manager -- it's a really nice Website and gives some really  
6 nice current information.

7               So if RAB members haven't gone on the Website  
8 in a while, park projects is really a nice job. So thank  
9 you.

10               MR. BERMAN: And as long as you're  
11 mentioning the Presidio Post, the calendar still does not  
12 have the RAB meetings listed.

13               FACILITATOR KERN: All right, then. Without  
14 objection, the meeting is adjourned.

15               (The meeting concluded at 9:18 PM).

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1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )  
3

3

4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the time  
6 and place therein stated; that the foregoing is a full,  
7 true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the foregoing  
10 meeting and caption named, or in any way interested in the  
11 outcome of the cause named in said action.

12

13 IN WITNESS WHEREOF, I have  
14 hereunto set my hand this  
15 \_\_\_\_\_ day of \_\_\_\_\_,  
16 2005.

17

18 \_\_\_\_\_  
Mark I. Brickman CSR No. 5527

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, SEPTEMBER 13, 2005  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Craig Cooper

Brian Ullensvang

Jim Ponton

Sara Segal

Gloria Gee

Sam Berman

Jan Monaghan

Julian Hultgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Mary Trigiani

David Sutter

Bob Boggs

Julia Cheever

Jack Luikart

Tony Di Stefano

Devender Narala

Edward Callanan

Karen Cleek

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on September 13, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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## AGENDA

Page

1) Welcome and Introductions - Doug Kern:	4
2) Agenda Discussion and Approval:	4
3) Announcements and Old Business:	5
4) Committee and Working Group Business not discussed	
5) Reports and Discussions:	7
6) Leave of Absence request:	70
7) Adjournment:	100

1 FACILITATOR KERN: Welcome everyone.

2 This is the regularly scheduled meeting of the Presidio  
3 Restoration Advisory Board. I'd like to welcome to  
4 Presidio board and their contractors, the National Park  
5 Service, our regulatory community and our community RAB  
6 members tonight.

7 I think we may have some people coming in  
8 late due to the marathon and the traffic issues that may  
9 be slowing up those people. I'm not sure, so we may  
10 have to wait for some of the voting issues, but before I  
11 begin, are there any changes or additions to the agenda  
12 tonight?

13 I have some possible additions for after  
14 reports and the discussions.

15 Our ongoing topic area, which is our  
16 response to the feasibility study, response to our  
17 comments. I know it's been quite sometime, but I have  
18 something to discuss about that.

19 We have some landfill 8/10 questions,  
20 which we may be able to address in that actual report,  
21 your report.

22 MR. COOPER: Okay.

23 FACILITATOR KERN: We want to check on  
24 Mountain Lake, some of the possible meetings that are  
25 going on, financial data and previous transcripts from

1 these meetings. I wanted to check on this. So I have  
2 some notes that we'll cover at some point.

3 Any announcements or old business? Sam.

4 MR. BERMAN: This is not an announcement.  
5 It's actually an appeal. With winter coming, I was  
6 wondering if we might be able to replace these  
7 decorative light bulbs in here with something that would  
8 put out a little bit more light.

9 If you replace those with compact  
10 florescents, the wattage is the same, so you wouldn't  
11 use up any more kilowatt hours, but you'd get four to  
12 five times the amount of light, and we could actually  
13 see, and soon it will be dark.

14 MS. YAROS: I second that.

15 FACILITATOR KERN: Well, I can -- I can  
16 attest that I can barely read my own thing here, so,  
17 yeah.

18 MR. ULLENSVANG: It might help if someone  
19 could turn the side lights on tonight.

20 MR. BERMAN: Yeah, but --

21 MR. ULLENSVANG: It wasn't meant to  
22 address your concern, but --

23 MR. BERMAN: Pardon?

24 MR. ULLENSVANG: It wasn't meant to  
25 address your concern regarding energy use, but --

1 MS. PASSERO: Temporary solution.

2 MR. BERMAN: But we still could use some  
3 more light, even with the wall lights on.

4 MS. YAROS: It does feel more like a  
5 nightclub in here.

6 FACILITATOR KERN: Maybe we should have  
7 all the amenities for a nightclub.

8 MR. ANDERSON: Lights work on dimmers if  
9 dimmers are a necessity.

10 MR. BERMAN: They do, but they cost more.  
11 I mean, we're talking, you know, twenty to thirty bulbs  
12 here. Perhaps the trust could find a way of coming up  
13 with \$50.00 for lamps.

14 MR. COOPER: I'll ask. You know, I'll  
15 ask, but, you know --

16 FACILITATOR KERN: All eyes are turning  
17 to you, Craig.

18 MR. COOPER: Under the National Historic  
19 Preservation Act, the act of changing a light bulb is  
20 not as simple as you think.

21 MR. ANDERSON: What if we break all the  
22 bulbs.

23 MR. BUDROE: Then you'll be busted for  
24 destroying federal property.

25 FACILITATOR KERN: We'll have to leave

1 this important lighting issue to Craig, and moving  
2 along, any other announcements in addition to the  
3 lighting?

4 All right. Mark is either going to be  
5 late or going to miss the meeting due to work  
6 commitments tonight. I'm trying to recall. He usually  
7 has the -- the meeting notes from the committee meeting.

8 Was there anyone there that can give us a  
9 rendition what we discussed?

10 Let's put that off briefly until he  
11 arrives or -- I think we're going to have to wait on the  
12 leave of absence for additional members to arrive before  
13 we discuss that.

14 MR. ULLENSVANG: I think we may have  
15 reached ten or is it eleven?

16 FACILITATOR KERN: I think it would be  
17 eleven.

18 Let's move to the to the reports and  
19 discussions. Craig.

20 MR. COOPER: Okay. I have my regular  
21 update. I want to go on through it, kind of emphasize  
22 what's been happening in the last four weeks.

23 Landfill E, really nothing new to report.  
24 The trust is still working on it. On this feasibility  
25 study, it's being prepared by CH2M Hill. Chris Nelson's



1 the project manager and has looked on my draft and Hill  
2 is incorporating Chris' comments and hopefully the next  
3 draft will be ready to send to Brian at the park  
4 service.

5 FACILITATOR KERN: Would you like us to  
6 ask you questions during the thing?

7 MR. COOPER: Yes. Yes.

8 FACILITATOR KERN: I have a question on  
9 this.

10 MR. COOPER: Mm-hmm.

11 FACILITATOR KERN: Can you describe what  
12 sort of an alternative that the trust is preferring at  
13 landfill E yet?

14 MR. COOPER: No. The next -- I mean, the  
15 RAB requested the first version of the landfill E,  
16 though we do not have a recommended remedy.

17 FACILITATOR KERN: Right.

18 MR. COOPER: You'll basically be able to  
19 see the direction the feasibility study's going --

20 FACILITATOR KERN: Right. --

21 MR. COOPER: When it comes out, but --

22 FACILITATOR KERN: I'm just -- I have  
23 these questions about a number of sites and it just --  
24 it usually comes up when the document does come out that  
25 there is a sense of what alternative is preferred.

1 MR. COOPER: Mm-hmm.

2 FACILITATOR KERN: So --

3 MR. COOPER: I mean, you know, as we are,  
4 you know, we're looking at that hybrid alternative.  
5 We're looking very hard at that one.

6 FACILITATOR KERN: Okay.

7 MR. COOPER: We've put a lot of effort in  
8 putting it together, so hopefully it will pan out.

9 FACILITATOR KERN: All right. That's --  
10 that's what I needed.

11 MR. COOPER: Okay. I'll keep going.

12 Another feasibility that's in the works is  
13 on landfills 8 and 10. The -- EKI is our consultant on  
14 this particular feasibility study. They've produced a  
15 draft feasibility study that was looked at internally  
16 and then the -- the trust and the park service are  
17 basically working out some details regarding the cover  
18 alternative for landfill 10 in this feasibility study,  
19 and so before we release it to the regulators, we want  
20 to be very clear about the cover alternative, what --  
21 that it's -- you know, what we mean by that, what it  
22 will look like, what its -- its important construction  
23 aspects of it, you know. Is it going to be stable or  
24 not?

25 We don't want to recommend something, you

1 know -- so basically doing some -- some remedial design  
2 type -- type looks at the cover alternative in advance.

3 Mm-hmm.

4 MR. ANDERSON: Is EKI an engineering  
5 firm, also? I mean, would they --

6 MR. COOPER: They're teamed with Golder,  
7 yeah, so all the stability analysis type thing, the  
8 detailed stuff, EKI's really depending on Golder to do  
9 that work.

10 MR. ANDERSON: Okay.

11 MR. COOPER: Yeah. So anyway, that's  
12 caused a delay in us getting the draft feasibility study  
13 out to you all and the regulatory agencies, and so I  
14 think it's going to be a couple more months before we're  
15 able to reach agreement with the park service on this  
16 particular alternative until we can get the feasibility  
17 study out there.

18 FACILITATOR KERN: On 8 and 10, can you  
19 describe the same question for me for E? Can you talk  
20 about 8 and 10, what were the directions?

21 I mean, this is a question --

22 MR. COOPER: I think I talked about that  
23 at a previous -- maybe it was a committee meeting --

24 FACILITATOR KERN: I don't know. I think  
25 8 and 10 have been out there for a while sort of

1 unresolved.

2 MR. COOPER: What we're looking hard at  
3 right now in the feasibility study is a cover  
4 alternative for 10.

5 If it -- if we can make it stable and look  
6 good and et cetera, and there's just so much volume in  
7 that particular landfill, and the clean closure  
8 alternative looks at least to this point pretty  
9 expensive.

10 And then for 8, it's -- we're looking at,  
11 you know, both clean closure or cover and/or maybe a  
12 hybrid, you know, associated with that.

13 FACILITATOR KERN: A hybrid?

14 MR. COOPER: A hybrid.

15 FACILITATOR KERN: And a hybrid meaning  
16 partial restoration?

17 MR. COOPER: (Nods head affirmatively).

18 MS. YAROS: I have to admit my  
19 forgetfulness now. For instance, I don't remember what  
20 we did for 8 and 10 to even have an opinion about  
21 whether I think a cover is acceptable or not acceptable.

22 MR. COOPER: Mm-hmm.

23 FACILITATOR KERN: Well, at -- landfill 8  
24 is the site where there's cemetery that we've been on  
25 and off talking about the issues with the rubble over

1 the top of the cemetery.

2 MS. YAROS: Yeah.

3 FACILITATOR KERN: And I guess for six or  
4 seven years, we asked for more investigation. The trust  
5 did more investigation at both sites --

6 MR. COOPER: Yeah.

7 FACILITATOR KERN: -- and there has been  
8 some contamination found at the site in the soil.

9 MR. COOPER: Mm-hmm.

10 FACILITATOR KERN: But we haven't really  
11 seen -- haven't really discussed what the possible --  
12 where the trust might be headed with 8.

13 Given the considerations of the cemetery,  
14 there's always been some feedback coming back oh, well,  
15 we can't really touch that because we might get a bone  
16 or bodies.

17 So there's a lot to be discussed there, I  
18 think, still with the cemetery.

19 MR. COOPER: Okay. So --

20 FACILITATOR KERN: At 10, it's a bigger  
21 site. One of the -- it's mostly building rubble, as I  
22 understand it.

23 One of the alternatives is to cut the  
24 slope back and have the Lobos Creek valley kind of  
25 ascend more gently up there and cover it with sand.

1 That's been one of the alternatives that has been  
2 discussed, but I'm not sure if that's what's under  
3 discussion now with the park service or not.

4 MR. COOPER: Various configurations of the  
5 cover alternative, yeah.

6 So as the last bullet says, you know,  
7 before we send it out, you know, we'll do a more -- you  
8 know, pretty formal presentation on this -- we were  
9 requested to do a presentation about the detailed study.

10 Then you'll know specifically what the  
11 trust is recommending for both landfills 8 and 10 and  
12 then it goes, you know -- at that point in time, it will  
13 go to the regulatory agency and to RAB 4.

14 Mountain Lake. What -- we talked to Chris  
15 Nelson, the project manager there. We're working on the  
16 remedial design. Because we know it's going to be  
17 pretty complicated. We put together a field sampling  
18 plan to hold close some data gaps regarding putting  
19 together our preliminary remedial design,  
20 specifically with respect to pesticides and some other  
21 aspects of the sediments in Mountain Lake, the  
22 contaminated sediments, and we've met with the  
23 regulators on this and Bob has sent us a letter and  
24 we're -- we've revised the plan and we hope to implement  
25 it at the end of September.

1 FACILITATOR KERN: I don't know if you're  
2 going to cover this.

3 MR. COOPER: This is about the grant.

4 FACILITATOR KERN: That's what I was  
5 going to --

6 MR. COOPER: I think I announced last  
7 month at the last meeting that Caltrans has informed us  
8 that -- that -- that Mountain Lake is eligible for a --  
9 a TEA grant, as they're called, in the amount of  
10 approximately \$650,000 and so we have -- I've contacted  
11 the Caltrans folks and they've assigned a project  
12 manager to the project and we're organizing a kind of  
13 kickoff meeting with the Caltrans people on September  
14 23rd, and so that's that.

15 I mean, what -- at this kickoff meeting,  
16 you know, we -- the trust will present information  
17 regarding kind of the history of Mountain Lake, its --  
18 its status from a restoration perspective, what the --  
19 that's the whole goal.

20 It's a restoration project which has hit a  
21 remediation speed bump, basically, and it will tell them  
22 about the remediation program and how the remediation  
23 program works in the Presidio and -- just because  
24 they're committing folks on Mountain Lake.

25 These are all folks -- actually, their

1 project manager is somebody that's worked -- he's the  
2 Caltrans rep on Doyle Drive, but he really doesn't know  
3 anything about the remediation program on Mountain Lake.

4 We really see this kickoff program about  
5 educating the Caltrans people about the -- and the  
6 environment of Mountain Lake and what we're dealing  
7 with, and maybe brainstorming with a few -- at least the  
8 trust's, you know, recommendations on project scope for  
9 the grant money, and, you know, our number one  
10 recommendations, obviously, is that we reroute the storm  
11 water directly into the City sewer system, but we'll see  
12 how they react to that.

13 We have some other i -- and based on -- I  
14 have a whole priority list of how to spend the grant  
15 money, and so we're going to make several  
16 recommendations to the Caltrans people, but that's my  
17 number one recommendation.

18 I know that's your number one  
19 recommendation, also, and -- but we need to, you know,  
20 check to see if it's grant eligible and all those kinds  
21 of things, so --

22 FACILITATOR KERN: I don't know if other  
23 folks have questions. If you do, I also have questions  
24 about this.

25 MS. PASSERO: Is the project manager the



1 same gentleman that was helping --

2 MR. COOPER: David Yam? No. I think  
3 he's going to come to the kickoff meeting. I probably  
4 expect him -- he may or may not -- there will be a whole  
5 series of project level meetings after this kickoff  
6 meeting.

7 His name is -- I can't think of it.  
8 Neidahl? Do you remember, Brian?

9 MR. ULLENSVANG: (Nods head negatively).

10 MR. COOPER: I haven't met him in person.  
11 It's Neidahl or something.

12 FACILITATOR KERN: Yes.

13 MR. HULTGREN: Has anyone checked with  
14 the City about tapping into their sewer system; and  
15 second, has anyone done an engineering study to see how  
16 feasible it is?

17 MR. COOPER: As far as checking with the  
18 City, at a preliminary level, the City says, yeah,  
19 that's doable.

20 We receive storm water runoff along other  
21 segments of, you know, Highway 1, so it wouldn't be all  
22 -- all that unusual to accept storm water runoff from  
23 this particular segment of Highway 1.

24 So that's not just a formal request, just  
25 a phone call.

1                   And then the technical feasibility with  
2   respect to whether it can flow by gravity or any other,  
3   that's not -- we're going to start to look into it.

4                   MR. HULTGREN:   Because it looks like it's  
5   uphill from the -- from the spot next to the lake to  
6   the -- to Lake Street.

7                   What are you going to do about that?

8                   MR. COOPER:   Yeah. We need to take a  
9   look at that and the location of where -- the elevation  
10  of the pipe that we'll be tying in to and see if we  
11  can -- you know, it makes the project a lot cheaper if  
12  we can make the water flow by gravity.

13                  FACILITATOR KERN:   David.

14                  MR. SUTTER:   Again, Craig, this grant  
15  does not cover remediation costs at all. That's a whole  
16  separate --

17                  MR. COOPER:   That's my preference would  
18  be to keep it out of the lake sediment cleanup. When --  
19  I first started thinking that's a good idea, but I think  
20  we've got plenty of important projects to do before the  
21  storm water management -- we've all talked about in that  
22  it makes sense to fix the storm water problem before we  
23  remediate the sediments.

24                  So I really want the grant money to be  
25  focused on that -- that problem first.

1 MR. PONTON: That's what it was earmarked  
2 for.

3 MR. COOPER: Yeah.

4 MR. SUTTER: I guess my question is the  
5 grant money is limited to storm water resolution.

6 MR. COOPER: Mm-hmm.

7 MR. SUTTER: It is not addressing  
8 remediation at all; right?

9 MR. COOPER: Correct. That would be my  
10 goal for it to handle --

11 MR. SUTTER: That isn't my question. My  
12 question is: The grant itself excludes remediation?

13 MR. COOPER: Does it exclude remediation?  
14 I don't know. That's on the agenda for them to explain  
15 more about it. I don't know.

16 I doubt it, you know, but --

17 MR. SUTTER: You doubt that it excludes  
18 it, you mean?

19 MR. COOPER: That it excludes it, yeah.

20 MR. SUTTER: So you might mix and match  
21 if it was in the trust's interest?

22 MR. COOPER: Right. Make sure we don't  
23 give any more back.

24 MR. SUTTER: No, no, Mixing the money  
25 from one purpose to another.

1 MR. COOPER: Oh, you would not recommend  
2 such a thing?

3 MR. SUTTER: No, no, What I'm saying is  
4 that -- well, I'm asking, I guess. I'm sorry if I'm  
5 confusing you.

6 You would hold it open from the trust's  
7 perspective to potentially use money from this grant for  
8 remediation if it was possible and if it was in the  
9 interest of the trust?

10 MR. COOPER: Yeah.

11 MR. SUTTER: Okay. Thank you.

12 FACILITATOR KERN: Sara.

13 MS. SEGAL: You mentioned a Caltrans  
14 person on Doyle Drive.

15 Have you had a TEA grant before or is this  
16 the first?

17 MR. COOPER: This -- has the trust  
18 received a TEA grant? I don't think so. I don't think  
19 so.

20 Has the park service received one?

21 MR. ULLENSVANG: Not to my knowledge.

22 MR. COOPER: This is new to us, yeah.

23 Maybe after this kickoff meeting, you know, the people  
24 that attend the meetings after the kickoff one might be  
25 more multi-disciplinary, you know.

1                   We might bring in a transportation person.  
2    I don't know, but no, we don't have -- this is our first  
3    time.

4 MS. SEGAL: Was it your shop -- who  
5 actually did the application?

6 MR. COOPER: Caltrans District 4.

7 MS. SEGAL: Did the application for the  
8 TEA grant on your behalf?

9 MR. COOPER: Right. Right.

10 FACILITATOR KERN: Jerry.

11 MR. ANDERSON: Do you actually know if  
12 you are the grantee or is Caltrans the grantee?

13 MR. COOPER: Grantee being -- the  
14 grantee's the party that gives the money; right? The  
15 grantee's the party that receives the money.

16 MR. ANDERSON: Right.

17 MR. COOPER: I fully expect to be the  
18 grantee and they are the grantor.

19 MR. ANDERSON: Has anyone told you that  
20 you are -- have that status?

21 MR. COOPER: Well, no, but that would be  
22 a cruel trick. At the kickoff meeting to say, "Oh, by  
23 the way, Caltrans -- in other words, when does the  
24 \$650,000 show up?"

25 MR. ANDERSON: Well, it's certainly not

1 obvious to me that it wouldn't go to some division of  
2 Caltrans for their use in addressing this problem.

3 MR. COOPER: If -- oh, if the money --  
4 that's not the way I understood it -- we had the one  
5 scoping meeting with David Yam. He made it sound like  
6 the money would be transferred from -- from Sacramento  
7 -- from Caltrans -- I don't know if it's Caltrans  
8 Sacramento or Caltrans -- you know.

9 MR. ULLENSVANG: The way I've heard it  
10 described is it comes to us. It could have been a grant  
11 within Caltrans which was then going to be provided to  
12 the trust or it could have been a grant to the trust.  
13 It was necessarily one way the other.

14 MR. COOPER: Mm-hmm.

15 MR. ULLENSVANG: But I'm sure we'll learn  
16 that.

17 MR. COOPER: Right.

18 MR. ANDERSON: If the money is going to  
19 be used, for example, engineering --

20 MR. COOPER: Right.

21 MR. ANDERSON: -- or constructing this,  
22 it seems to me they're like the people that do that.

23 MR. COOPER: I'm sure they do it a  
24 hundred times at other projects, so it would make sense  
25 to use Caltrans as our contractor for the design.

1 I mean, I'm probably getting ahead of  
2 myself thinking this through, but that's kind of logical  
3 for me, and of course I don't want the design money --  
4 the design to suck up all the money, obviously.

5 We want to make sure we get money for the  
6 implementation design, too.

7 FACILITATOR KERN: Can you tell us who's  
8 invited to the meeting?

9 MR. COOPER: For the kickoff meeting,  
10 we -- Caltrans, the trust, the park service and the  
11 Golden Gate GGNPC, the national park. Carol Parks is  
12 coming.

13 FACILITATOR KERN: Are there attorneys  
14 coming to the meeting?

15 MR. COOPER: No.

16 FACILITATOR KERN: So it seems to me that  
17 one of the things we talked about is, you know, the  
18 vehicle of transferring the money.

19 Is that -- I mean, maybe you could tell us  
20 what the agenda is and if that's like on the agenda.

21 MR. COOPER: The first two agenda items  
22 are the educational agenda items. Carol Prince is going  
23 to talk about her role at site restoration and I'm going  
24 to talk about remediation.

25 And then I think we had an agenda item

1 on -- wait. Scoping, brainstorming projects, I think I  
2 called it, and the trust will, you know, kick out the  
3 ones, you know, that we'd like to see happen.

4 And then I think the very last agenda item  
5 is this funds transfer document is what I called it,  
6 and -- and how -- how do we do that, you know. Is it  
7 going to be a cooperative agreement? Is it going to be  
8 a pure grant? What do they look like?

9 I'm assuming they've done this before so  
10 we could bring some templates or some examples of how  
11 they provided money to other grantees.

12 FACILITATOR KERN: I guess part of what's  
13 in my mind about this is that even you mentioned that  
14 you were going to do some education about the  
15 remediation program --

16 MR. COOPER: Mm-hmm.

17 FACILITATOR KERN: -- but this is not  
18 really about remediation, so are we trying to get them  
19 to understand that they're going to need to put in more  
20 for their remediation or --

21 MR. COOPER: No.

22 FACILITATOR KERN: -- are they going to  
23 bring a remediation specialist to the meeting? I mean,  
24 that's --

25 MR. COOPER: I think it's just to, you



1 know -- I'm not going to say, "Oh, and by the way, you  
2 know, here's all the data show you're a liable PRP."

3 FACILITATOR KERN: Exactly.

4 MR. COOPER: That's not the point at all.

5 It's just to kind of explain, you know,  
6 some -- the detail regarding why is it necessary to  
7 reroute the storm water and that -- that context, yeah.

8 I'm going to try to avoid any type of PRP  
9 discussion, because that will be attorneys and I think  
10 it would sour the conversation.

11 FACILITATOR KERN: Do you think there'll  
12 be an opportunity to invite members from this group to  
13 any of the future meetings?

14 MR. COOPER: I think so. We can talk to  
15 them about that and, you know, I think -- oh, that's  
16 another agenda item for next meetings and, you know,  
17 who -- who to bring and I think once we have this first  
18 one, we'll be able to sort out what the next agendas are  
19 and we'll definitely have a conversation about who --  
20 who should come and listen in and stuff like that.

21 So I will raise that if a RAB can bring  
22 the observer or something like that to a future meeting.

23 MR. ULLENSVANG: There might be other  
24 groups. Friends of Mountain Lake --

25 MR. COOPER: Right.

1 MR. ULLENSVANG: -- that would have an  
2 interest if they could get there.

3 MR. COOPER: Right.

4 FACILITATOR KERN: Sam.

5 MR. BERMAN: I have a small detail  
6 question. Will this project manager be paid out of  
7 general Caltrans funds or is he going to charge his time  
8 to the grant?

9 MR. COOPER: That's a good question. I  
10 mean, my preference -- something that we should talk  
11 about during this kickoff meeting -- is that if -- if  
12 we're going to -- you know, general meeting attendance  
13 wouldn't be grant eligible.

14 If they work on remedial design, that  
15 could be grant eligible, but I'm -- I'm assuming -- I'm  
16 not going to charge my salary to the -- you know, to the  
17 grant money.

18 I think that we should all kind of agree  
19 that the grant money is really for the grant project and  
20 not for overhead. That's going to be my position. I  
21 hope Caltrans agrees.

22 MR. BERMAN: Will you bring that up as an  
23 agenda item?

24 MR. COOPER: Yeah.

25 MS. CLEEK: Can I ask a further question

1 about that?

2 FACILITATOR KERN: Yeah.

3 MS. CLEEK: That means the project  
4 manager is funded out of ongoing Caltrans funds?

5 MR. COOPER: Right.

6 MS. CLEEK: What other things like that  
7 would be covered out of the normal -- or not covered out  
8 of grant funds that they would pick up? I mean,  
9 anything substantial or --

10 MR. COOPER: Yeah. I don't know. I  
11 mean, use of their -- I don't know. Maybe as the  
12 project scope starts to firm up, we can see what kind of  
13 in kind services Caltrans can bring to the table, but,  
14 yeah.

15 FACILITATOR KERN: Let's go to Michelle  
16 and then over to Dave.

17 MS. PASSERO: This is a related question.  
18 Have you -- are you aware of other TEA grants going to,  
19 I guess, other organizations and how that money has been  
20 used?

21 It might be something that's sort of  
22 informative to see how even the money is disbursed. I  
23 don't know if the level of detail will be provided, but  
24 it would be sort of helpful to see if information is  
25 existing.

1 MR. COOPER: I should probably do a  
2 Google search first of all to see if there's something  
3 on the Web. I'm going to ask them at the meeting for  
4 examples.

5 MS. PASSERO: You'd think that they might  
6 have some internal guidance, anyway, to just how they  
7 handle grant money, TEA grants.

8 MR. SUTTER: Yeah, Craig. I'd just like  
9 to mention as a cautionary note that if you consider  
10 having Caltrans do the actual design for the, you know,  
11 storm water runoff distribution, keep in mind that  
12 internally Caltrans generally -- it costs them two to  
13 three times more to define something than somebody else.

14 MR. COOPER: Oh, really?

15 MR. SUTTER: Oh, yeah. From my  
16 experience.

17 MR. COOPER: Um.

18 MR. SUTTER: So if you're seriously  
19 considering that they want to do that, that you get an  
20 estimate from Caltrans and then get an estimate from an  
21 engineering consultant.

22 MR. COOPER: Okay.

23 FACILITATOR KERN: Jerry.

24 MR. ANDERSON: I --

25 MR. COOPER: I'm sorry. I got a question

1 for Dave on that.

2 Did Caltrans do then -- did they sub it  
3 out? Is that why it was so expensive or was this  
4 in-house?

5 MR. SUTTER: No. They did the design  
6 themselves.

7 MR. COOPER: In-house? Okay.

8 MR. SUTTER: They've got this huge  
9 engineering, you know, because that they have to keep --  
10 keep employed. If you know what I mean.

11 MR. ANDERSON: Jim might know more about  
12 this than I do, but it's my understanding that Caltrans  
13 has an obligation under clean water laws to keep the  
14 runoff out of surface waters, but that it's my  
15 understanding, also, that programs to implement this  
16 have not progressed very much, if any.

17 MR. PONTON: The only water body that I  
18 know that is restricted from having runoff from roadways  
19 is Lake Tahoe.

20 If -- if you traveled 101 north through  
21 Marin, all the overpasses in San Rafael drain to surface  
22 water bodies that are there, and it's not unique to the  
23 Presidio, and it's my understanding that Caltrans in  
24 retrofitting or in their design work has to use best  
25 design practices in ways to design storm water runoff,

1 but they're not required to retrofit the entire state.  
2 That would break them. So that's my understanding how  
3 it works.

4 So this is an example -- it was my  
5 understanding from the TEA grant process -- I did a  
6 Google search because I wanted to understand it because  
7 I didn't understand it, and I can't really recall what I  
8 learned, except I think it has been applied in LA, the  
9 LA area.

10 It's a competitive process. I don't think  
11 they award a lot of these a year. It's not a big  
12 budget, and that the money was going to be set aside.

13 I'm not sure how it was going to be  
14 allocated, but it was to come up with an innovative way  
15 of managing the storm water runoff from that segment of  
16 19th Avenue, and I think anyone would agree that that's  
17 the first step that anyone would take before any kind of  
18 restoration of the lake, and that was my understanding.

19 So -- and I don't think I need to be  
20 involved in the meetings personally because it's not a  
21 remediation project.

22 I can't -- I don't think I should be  
23 spending money on that, and when we do get involved, it  
24 will be people in our office that would handle it other  
25 than me who are experts in that.

1                   So --

2                   MR. COOPER:   And I'll provide monthly  
3 updates.

4                   MR. PONTON:   Yes.   So I'm not -- I  
5 really -- I just know that it was intended for that --  
6 that issue, and if we can -- and in a sense that ties to  
7 remediation because we know that the sediments tell us  
8 that the discharge directly into the lake is not a good  
9 thing and visually it's not a good thing.

10                   Environmentally, it's a bad thing, so I  
11 think that's where it comes down.

12                   FACILITATOR KERN:   Anything else on  
13 Mountain Lake?

14                   MR. BERMAN:   Just one -- another minor  
15 administrative point.  It would be interesting to find  
16 out if the -- if there is any complication in the state  
17 having money to a federal body, because it's my  
18 understanding in the past the TEA grants were given in  
19 the counties and it wasn't actually a transfer of money  
20 from a state agency to a federal agency.

21                   Not that there should be any complication,  
22 but you never know about these things --

23                   MR. COOPER:   Right.

24                   MR. BERMAN:   -- when it comes to the  
25 transferring of funds.

1 MR. COOPER: It's usually from the  
2 federal to the state.

3 MR. BERMAN: Right. It's very unusual to  
4 go the other way. I don't know whether there's any --  
5 any complication.

6 It's a -- it's a totally trivial point, I  
7 think, but it would be nice to know that -- that some  
8 lawyers haven't configured the grant in some way that  
9 such a transfer can't occur.

10 FACILITATOR KERN: Anything else?  
11 Thanks.

12 MR. COOPER: Okay. Small arms firing  
13 range. Nothing really new to report there. Our  
14 feasibility study is just about done.

15 We're going to send it back to the park  
16 service for the rest of their comments, and we have a  
17 very small project as far as sampling the soil in the  
18 basement of 649.

19 At landfill -- at fillsite 5, we have one  
20 little follow-up action to do there regarding a little  
21 bit of succedence {} of zinc that was dug out.

22 It was dug out and removed and retested  
23 there to make sure we got it and we are finishing up our  
24 resection completion report there.

25 We have --



1                   MR. BERMAN:   Does anyone have -- quick  
2 question. Does anyone have an idea why the zinc was  
3 there?

4                   MR. COOPER:   Well, we think it was  
5 probably a little remnant from the fillsite itself that  
6 we missed during the restoration event.

7                   The -- we're going to talk about fillsite  
8 6A is the other, you know, site in RAP 2, and it's  
9 eligible for remediation now, and we put that project  
10 out for bid and the winning bidder was Pacific States  
11 Environmental, and we have selected them and notified  
12 them, and we hope that they can get started on all of  
13 the utility relocation work this fall, and we have a  
14 draft fillsite 6A restoration plan that talks about the  
15 stream bed design and so on.

16                   We've made an agreement with state boards  
17 again. There's some edits that we want to make to that  
18 plan. We'll resubmit it to the Regional Board, and that  
19 way they'll basically have the winter to be able to look  
20 at that and feel comfortable with our restoration  
21 approach, and then we'll start bidding out the landfill  
22 in the spring next year.

23                   So Baker Beach 3 is something that did --  
24 is a project that did happen this year. It's almost all  
25 gone now and it's pretty dramatic view, and really no

1 problems in the excavation work. I've shown over the  
2 last couple months pictures of how we've removed the  
3 waste uphill and into trucks, and the only complication  
4 here is that, you know, most of the waste has tested out  
5 as Cal haz due to soluble lead, so that as you know  
6 makes the cost of off-site disposal more expensive and  
7 the volume of it -- of the landfill is coming in at  
8 least at the RAP estimate or maybe a little bit more.

9           So those two things will probably cause  
10 the Baker Beach project to be at the RAB cost estimate  
11 or maybe even higher.

12           So it's just part of the risk that we take  
13 and, you know, clean closure remedies, sometimes they  
14 come in less and sometimes they're going to come in a  
15 little more.

16           So work on Baker Beach 4 I believe is  
17 going to start next week. That's just that little tiny  
18 contaminated area near Baker Beach 3.

19           So here's some photographs. This is the  
20 upper end of the landfill. So all -- I've got a picture  
21 of the lower end, but this is all that -- as it goes  
22 downhill, that used to be kind of flat. You know, that  
23 was all full of waste, and it's all been dug out now,  
24 and the upper -- it's very steep sand down there. You  
25 can kind of see the lip.

1                   And so that's looking down, obviously. So  
2   that used to be full of waste, that ravine and now all  
3   the waste is gone and it's become like a valley there  
4   now.

5                   MR. SUTTER:    Craig, just for information,  
6   if you could maybe kind of point out where the previous  
7   landfill surface, top surface was. Roughly. Roughly.

8                   MR. COOPER:    Maybe Brian could help out  
9   here.

10                  MR. ULLENSVANG:   The vegetation on the  
11   left wall.

12                  MR. COOPER:    Here?

13                  MR. ULLENSVANG:   The slope came down and  
14   they cleared up to where the waste was. It's hard to  
15   see in this one. I don't know if there's a better  
16   angle, but put your finger about halfway up the hill on  
17   the left side. That's about where the waste was.

18                  MR. COOPER:    Are you getting the concept  
19   that this goes downhill and then up? It's hard to -- if  
20   you haven't been there, I'm kind of assuming that, you  
21   know, you kind of get the general thing.

22                  MR. ULLENSVANG:   On the right side --

23                  MR. COOPER:    It's a good thirty feet  
24   from --

25                  MR. ULLENSVANG:   It's deep.

1 MR. COOPER: From here to here. You're  
2 looking like that to look up this bank here.

3 MR. ULLENSVANG: If you look on the right  
4 slope, there's a kind of a line approximately where the  
5 slope ended. There's been some vegetation here, so it's  
6 hard to tell.

7 MR. COOPER: I think right about here.  
8 Maybe from here across to here was full of waste, but  
9 it's so hard to tell because, you know, it's like twenty  
10 to thirty feet down this little mini canyon here.

11 MR. BERMAN: It's actually pretty  
12 spectacular. It's really worth seeing now that it's  
13 dry, and if you have a chance, go by there. Go out  
14 Washington Boulevard and --

15 MR. COOPER: I think I have just one more  
16 picture. At the very bottom -- so this is at the very  
17 bottom of the landfill. We're starting to put in our  
18 erosion control strategy, and I didn't talk to Jen about  
19 this, Brian.

20 MR. ULLENSVANG: That's not the way it  
21 looks down.

22 MR. COOPER: In fact, Lew Stringer is the  
23 park service's restoration ecologist, and so maybe --

24 MR. STRINGER: It's a willow mattress.  
25 If you go back to one of the slides that shows the real

1 exit of the landfill.

2 MR. COOPER: So down here is where you're  
3 planting some willows.

4 MR. STRINGER: It's an integrated kind of  
5 mat that will hold any sediments that start to move down  
6 through that ravine.

7 Hopefully that will trap any sediment and  
8 then it will -- the stakes that will be put in, kind of  
9 a lattice and woven branches.

10 You kind of see a wall of willow there.  
11 It's a lot of kind of deeply woven structure that will  
12 hopefully prevent massive movement through that gully.  
13 And those willows are already starting to sprout and  
14 they'll grow.

15 MR. ULLENSVANG: Most of that structure  
16 that you see there are all -- the sticks are buried.

17 MR. STRINGER: It's all buried now.

18 MR. ULLENSVANG: That's during the  
19 planting of the willows which will help prevent any  
20 erosion until the vegetation comes in.

21 MR. COOPER: Okay.

22 MS. PASSERO: What kind of drainage,  
23 then, do you think will be -- seasonal during the rains  
24 and all?

25 MR. ULLENSVANG: It's very close to

1 groundwater, the bottom of there. There should be some  
2 seepage. It probably won't actually flow very far.

3 MR. STRINGER: It's seasonally wet, I'd  
4 say. It's wet now in certain spots. We'll see what  
5 happens this winter.

6 MR. COOPER: The bottom of the canyon,  
7 yeah -- I'm assuming the sand -- there's a section of it  
8 already wet where the seepage is still showing.

9 Is it still there?

10 MR. STRINGER: Yeah. It's been dug down  
11 to the colma layer. It's down to sand, the zone where  
12 the water is moving and it's percolating through at the  
13 bottom there in the clay, colma, so --

14 MR. COOPER: Okay. Any other questions  
15 about our -- the Baker Beach 3 cleanup?

16 MR. BERMAN: Could you just give me a  
17 quick answer for 6A? Are the -- the utility lines  
18 completely mapped or is some of this just going to have  
19 to be figured out by -- by trial and error?

20 MR. COOPER: That's a good question. You  
21 know, we have a utility map in the utility department  
22 and it's -- it's not perfect, you know, and we're  
23 already showing a lot of utilities crossing that site  
24 that we know we have to go over after -- excuse me. Go  
25 after and relocate, and I think they'll also be probably

1 some field reconnaissance at that time, also,

2 So we'll trench out the ones that we know  
3 are there and see if there's any unmapped utilities  
4 because it does happen.

5 Unmapped utilities do get -- that's why we  
6 occasionally bump into pipes and things like that  
7 because it is didn't show up on an Army as-built.

8 MR. BERMAN: Right.

9 MR. COOPER: Yeah.

10 MR. BERMAN: So the contractor, Pacific  
11 Slope, whatever they're called, they are aware that they  
12 have to do this in-situ reconnaissance?

13 MR. COOPER: Yeah, right.

14 MR. BERMAN: So are they able to bid on  
15 them? Because that could be really complicated  
16 depending upon what you find.

17 Are they allowed to change their -- the  
18 cost of operation depending on what they find?

19 MR. COOPER: You mean the change order?

20 MR. BERMAN: Yeah.

21 MR. COOPER: I think the plans and specs  
22 show known utilities.

23 MR. BERMAN: Mm-hmm.

24 MR. COOPER: And George is the expert on  
25 this, but I would assume that if you -- if they hit

1 something simple -- a lot of people do it, but if they  
2 hit something what they bid on and it's going to cost  
3 them money, we can expect a change order for it.

4 I mean, that's just how it works.

5 MR. ULLENSVANG: My understanding is the  
6 trust feels they have a pretty good handle on the  
7 utilities. There's not -- they're not expecting a lot  
8 of surprises, and they'll go and do the standard  
9 clearance before digging --

10 MR. COOPER: Right.

11 MR. ULLENSVANG: -- to help identify if  
12 there are any missed ones.

13 But essentially they're going to try to  
14 reroute all of the activities around it.

15 MR. BOGGS: The maps they have are pretty  
16 detailed. I was surprised that they showed as many  
17 utilities and the details of them as they did during the  
18 design.

19 MR. COOPER: Yeah.

20 MR. BOGGS: I think they've got a pretty  
21 good handle on them. Like Craig said, this is an Army  
22 facility. It's actually quite common that you will find  
23 things that just aren't recorded.

24 MR. COOPER: Yeah. Okay. Moving on to  
25 the next CERCLA thing, the next big thing going on in



1 our CERCLA program is what's called RAP 3, and it has a  
2 total of 31 CERCLA sites that will have remedies  
3 declared for them, and the trust -- we've been -- I'm  
4 the project manager on this and the trust -- we've been  
5 working on it for about a year now, basically.

6 Just to give you an idea of how hard  
7 putting this RAP together is, MacTech is our consultant,  
8 and I think we've got one of the best staff people from  
9 MacTech working on this, and we sent Brian a draft a  
10 while back.

11 We got some comments. The trust had some  
12 more comments. There's been a couple of things in flux  
13 regarding sites and so the trust has now put together  
14 another revised draft.

15 We think that we're just about there now,  
16 and so I'm expecting comments from Brian very soon, and  
17 because I know that it's due to Bob very soon, so we're  
18 going to be jamming on getting that Draft RAP together,  
19 and concurrent with that, just like what we've done with  
20 RAP 1 and RAP 2, we're already working on our designs  
21 from the sites that require remedial action, and, you  
22 know, you've heard a lot about Baker Beach 1/2, not flip  
23 sites, and we just finished a cultural resource baseline  
24 assessment.

25 We needed to do that, so we hired someone

1 from URS that's very well respected from cultural land  
2 people by both the park service and the trust. He's  
3 done all kinds of coordination and studies over the last  
4 couple months and put together his impact assessment and  
5 so the trust is looking at that.

6 We obviously need that document to write  
7 the RAP and to write the CEQA documentation for the RAP,  
8 so that was an important milestone to get that finished.

9 Yes.

10 FACILITATOR KERN: Are there any remedies  
11 in RAP 3 that you think would be controversial with this  
12 group?

13 MR. COOPER: Well, they -- the RAP  
14 remedies pretty much follow along the lines of the main  
15 installation feasibility study, and the only -- yeah.  
16 The only sites that -- that are in RAP 3 that aren't in  
17 the feasibility study are from the commissary PX and  
18 those are clean closure things, those two sites that  
19 were removed from the commissary PX.

20 You know, I don't know how controversial  
21 they are until --

22 FACILITATOR KERN: Okay.

23 MR. COOPER: Yeah.

24 MR. BERMAN: Wasn't the --

25 MR. COOPER: I hope not.

1 MR. BERMAN: Wasn't the Nike swale in RAP  
2 3?

3 MR. COOPER: Nike swale is in RAP 3,  
4 recommended for clean closure as in Nike.

5 So with respect to RAP 3 and -- and  
6 associative remedial designs on RAP 3, at Baker Beach 1,  
7 2 -- I'm sorry. The first bullet should recognize that  
8 the Geotech and the additional archaeological field  
9 investigations are going to occur this fall, and the  
10 Geotech work at Baker Beach 1/2, because it's so steep,  
11 you know, basically we want to make sure that we're not  
12 going to get into any trouble as far as waste movement  
13 when we dig it up, and that the slope that we -- the  
14 clean closed slope that we leave behind is stable.

15 Basically along the lines that -- DTSC  
16 requires that at Baker Beach 3, so this time this one  
17 was -- because it was required at Baker Beach 3, Baker  
18 Beach 1/2 is so much steeper than Baker Beach 3, we  
19 assume that DTSC would want this from the get-go.

20 So we basically incorporated it into our  
21 design process at this time.

22 There's a few sites in RAP 3 that we need  
23 a little bit more information, characterization  
24 information to help with the remediation design and DTSC  
25 has that work plan and it's just some soil sampling,

1 just better pinpoint exactly where we need to do our  
2 clean closure.

3 These are all -- building 662, sewer lift,  
4 1167 and 1351 are all clean closure sites in RAP 3 where  
5 we just want a little bit more definition on where to  
6 dig.

7 We've hired a new consultant to start  
8 working on RAP 5, and RAP 5, that new consultant is  
9 called CDM, which is Camp, Dresser and McKee, and so  
10 this is one of the consultants.

11 I think I told you that I went -- the  
12 trust has gone through a whole interview process for the  
13 last couple months to bring on a couple new consultants,  
14 and this was one of the best consultants that  
15 interviewed with us, and so we have high hopes that they  
16 will be able to do the -- do a good job on RAP 5.

17 As you can see, it contains a whole bunch  
18 of very important sites, so this consultant is actually  
19 going to come over to my office on Thursday for the  
20 first time.

21 They just got their purchase order a  
22 couple of days ago and they have a lot of background,  
23 you know, stuff to read first, and so I'm going to give  
24 them PTemp and the feasibility study, just a whole bunch  
25 of background documents so they can start putting

1 together RAP 5 together.

2 I'm sure that, you know, if RAP 3 took a  
3 year or more to put together, RAP 5 will probably take  
4 along those lines, too.

5 Maybe a little bit less because there's  
6 fewer sites, so it's going to be a complicated one to  
7 write, also because of Mountain Lake.

8 We have a lot of -- the RAP is going to  
9 handle a whole bunch of important issues regarding  
10 Mountain Lake and it's coming up, too. So it's going to  
11 be a complicated RAP to write.

12 MR. BERMAN: What's the relationship  
13 between CDM and CH2M Hill? Are -- do they communicate?

14 MR. COOPER: That would be my -- yeah,  
15 yeah. They would have to. They would have to  
16 communicate. CH2M Hill is going to, you know, write the  
17 feasibility study on, you know, landfill E and then the  
18 results of that feasibility study's going to get  
19 incorporated into RAP 5 just as the results to have EKI  
20 feasibility study get incorporated into RAP 5, also.

21 So there's kind of two feasibility studies  
22 that are feeding this particular RAP, and who does the  
23 remedial designs for these projects? We haven't awarded  
24 that or made that decision yet.

25 Maybe Hill will do landfill E. Maybe it

1 will go to CDM or maybe somebody else. It's just --  
2 I -- I'm trying to wait to see on performance before --  
3 that's a big decision is the remedial designs because we  
4 get over time construction of sites and the closure, and  
5 so it's a -- it's quite a column to get the remedial  
6 design task order.

7 So I want to wait and see how Hill does  
8 and see how CDM does before I make any decisions on  
9 remediation design in RAP 5.

10 Okay.

11 MS. MONAGHAN: Did you invite these  
12 people to your grant meeting next week because they're  
13 going to be working on Mountain Lake?

14 MR. COOPER: CDM, no. I doubt it. You  
15 know, URS on Mountain Lake is our remedial design  
16 consultant right now and we're not even going to invite  
17 them.

18 Once on a project scope, not only you,  
19 would we be telling you, but we'd be telling our  
20 consultants about that.

21 Okay.

22 MR. BERMAN: But the remedial design  
23 that's involved for Mountain Lake does not really  
24 consider the storm water runoff; right?

25 MR. COOPER: Exactly. They need to be --

1 they need to be aware of each others' projects, because  
2 locationally, they're right next to each other, right.

3 MR. BERMAN: Right.

4 MR. COOPER: Yeah. Okay. Into the  
5 petroleum program.

6 Shall I keep going or take a break?

7 Commissary PX. We submitted the draft  
8 corrective action plan to the Regional Board. At the  
9 last RAB meeting, I did a presentation about that  
10 corrective action plan to the RAB, and we received  
11 comments from the park service and the Regional Board  
12 and one member of the public, a RAB member, and we would  
13 really love if the RAB is going to, you know, comment.

14 I think at my -- at the August 10th RAB  
15 meeting I said by the end of September, it would be  
16 great to get any comments that you may have on this  
17 draft CAP.

18 FACILITATOR KERN: Mark and I talked  
19 about it a little bit off-line, and there are some  
20 issues that I think would be worthwhile the RAB  
21 commenting on.

22 Brian has submitted his comments to us.  
23 We've had a chance to read some of those. They have  
24 primarily to do with arsenic issues.

25 I think Brian could talk about those

1 better than I, but there's a timing issue I think that  
2 comes up that it would be nice to have a chance to talk  
3 about, and I don't know if this is really the right  
4 time, but it comes -- I guess the construction schedule  
5 is to do this work next summer.

6 MR. COOPER: Mm-hmm.

7 FACILITATOR KERN: And at the same time,  
8 there is a study going on about Crissy Marsh expansion,  
9 and it's my understanding that the Commissary PX area is  
10 one of the areas under consideration for that expansion.

11 MR. COOPER: Mm-hmm.

12 FACILITATOR KERN: But that probably  
13 won't happen for a while. I don't think the marsh is  
14 going to expand into the commissary next summer.

15 MR. COOPER: Right.

16 FACILITATOR KERN: So I'm wondering if  
17 there's a bunch of excavation to be done in an area  
18 that's going to be excavated, doesn't it make sense to  
19 do that once instead of backfill it?

20 And I'm wondering if there are ways to  
21 coordinate that activity, if people are thinking about  
22 it, what are the pros and cons, what is the expense?

23 I appreciate the desire to get, you know,  
24 that work done. That's obviously in your interest, but  
25 if the marsh is going to expand in there -- I think on



1 the other hand, and this is probably almost heresy  
2 coming from me, but if the marsh isn't going to go there  
3 and if it's going to be a parking lot and we're going to  
4 repave it and cover it with asphalt, which is  
5 effectively a cap, I mean, can we -- is it open to talk  
6 about what are the major concerns with leaving it there?  
7 How much would we save? What are the -- how much is it  
8 going to cost to do this site, and I think we've talked  
9 about that, really. What are those options?

10 Those might be comments, at least  
11 initially, that Mark and I have looked at when we read  
12 through this, and wondering the best way to get those  
13 out on the table for people to think about, or are you  
14 pretty much set on just wanting to go ahead, get this  
15 done, dig it up, backfill it and forget about it?

16 MR. COOPER: Yeah.

17 FACILITATOR KERN: Is that really the  
18 plan?

19 MR. COOPER: Well, you bring good -- the  
20 points you brought up are certainly things that I've  
21 struggled with and trying to balance -- waiting to see  
22 what's going to happen for future anticipated land use,  
23 basically, and see if there's going to be some  
24 efficiency and some economic efficiency in that versus  
25 just plunging ahead.

1 I'm -- I'm reluctant to -- you know, to  
2 wait. You can kind of get the ballpark on how much  
3 money could be saved. The cover alternative is -- is in  
4 the CAP.

5 One of the alternatives you can take a  
6 look at the assumptions that we put in regarding long-  
7 term groundwater monitoring and so on, which obviously  
8 would be something that would have to happen.

9 We put our best guess on what that  
10 groundwater monitoring would be and how long it would be  
11 required by the regulatory agencies.

12 So that's where you can kind of at least  
13 get an idea of that particular thing, but my -- my gut  
14 instinct is let's just go do it.

15 We've got the -- I would have to -- to  
16 redo it at this point in time, you know, it would be --  
17 I haven't even had that conversation with Jim, you know,  
18 and I don't know if the freshwater -- I'm sorry. The  
19 cleanup levels down in that area are very stringent  
20 because of its location being in the saltwater  
21 protection zone, I think it is, and -- yeah, and that I  
22 think was -- it's in the saltwater protection zone,  
23 maybe because it's in an area considered for marsh  
24 expansion, but maybe there's other reasons why it's in  
25 the saltwater protection zone just because it's near the

1 existing marsh. I don't know.

2 MR. ULLENSVANG: Those boundaries were  
3 set because that was the targeted area for marsh  
4 expansion that Jim gave.

5 MR. BOGGS: You may want to consider the  
6 experience the Army had at fillsite 7 right across the  
7 street.

8 When they went to dig up that area, they  
9 had to stepout upon stepout upon stepout because the  
10 data confirmation samplings actually predefined the area  
11 of excavation, but when they did their initial sampling,  
12 in order to come up with the definition of that area,  
13 they had to stepout, stepout, stepout because they kept  
14 on running into contamination that they didn't pick up  
15 in the RI.

16 So being right across the street, also  
17 being in within the similar artificial fill on top of  
18 the old marsh, you probably have a fairly high risk at  
19 that particular site of doing a lot of stepouts in your  
20 excavations and your confirmation sampling.

21 MR. COOPER: Yeah.

22 MR. BOGGS: And that may be something to  
23 consider such that if it is going to be part of a marsh  
24 expansion, if they are going to be wholeheartedly doing  
25 that, to do it at that time with all those stepouts such

1 that you aren't having to backfill, et cetera. Not that  
2 you would necessarily change your remedies, but what  
3 would -- I mean, like Doug brings up a good point as far  
4 as the timing of those things.

5 If there is a high potential for that to  
6 become a much larger remediation project, you might  
7 consider that in your evaluations.

8 MR. COOPER: Right.

9 MR. ULLENSVANG: And certainly some areas  
10 which may be a higher priority than others because  
11 they're currently in the marsh.

12 I think we should be careful not to run  
13 the risk of those sites that are threatening the marsh  
14 now, that we shouldn't wait too long on those because it  
15 may be actually harder.

16 FACILITATOR KERN: I certainly don't want  
17 to hold up the project, but it just seems -- I mean, I  
18 think I already commented when I first looked at the  
19 drawings, and there's kind of these little connect the  
20 dots weird shapes, and in my mind those are blobs.

21 Those are contaminant spills that could  
22 turn into larger areas, and those dots can connect in a  
23 lot of ways, and pretty soon you've got the marsh  
24 expansion right there and it's already dug up.  
25 Everybody says, "Stop, don't backfill. Leave it open."

1 MR. COOPER: Fine with me.

2 First of all, I looked to see the COC. No  
3 metals are -- you know, we're not going to be testing  
4 for metals in our stepout sampling. It's TPH.

5 The ph's could get us into trouble as far  
6 as additional stepouts and cleanup levels, but, you  
7 know, it's a good point.

8 I -- you know, almost every site -- you  
9 know 207/231, we're going to have the same issue. 207/  
10 231 petroleum site is also in the saltwater protection  
11 zone. It's also a potential marsh expansion area just  
12 like the Commissary PX is also.

13 So that's two of our most important  
14 petroleum contaminated sites. Putting them on hold, you  
15 know -- I've worked with the Regional Board regarding  
16 redoing our -- our cleanup due to another external  
17 factor at 1065 with the water recycling plant and that's  
18 had some mixed results waiting for another department to  
19 make up their mind and move forward on their projects,  
20 and I can't say it's been the most -- the most  
21 successful way of proceeding on the project is waiting  
22 for another department to act and have their money ready  
23 and -- and in step with the remediation department.

24 In theory, it sounds great. In practice,  
25 it could lead to some really significant delays for us.

1 FACILITATOR KERN: I appreciate that.

2 Is the estimate about three million  
3 dollars to do this clean closure? I mean, that's what  
4 sticks in my mind.

5 MR. COOPER: Yeah. Let me look it up  
6 real fast. I thought it was two million. It is 2.5.

7 FACILITATOR KERN: Okay.

8 MR. COOPER: 2.5 to 2.7. That's the  
9 clean closure because the in-situ underneath the  
10 commissary building.

11 FACILITATOR KERN: So -- so reasonably  
12 good size investment?

13 MR. COOPER: Yeah. It's a big chunk of  
14 money.

15 FACILITATOR KERN: And to -- it seems  
16 like such a big opportunity if you've got that open hole  
17 and if it could be part of a marsh expansion just  
18 seems -- it was -- I had to at least bring this up --

19 MR. COOPER: Yeah.

20 FACILITATOR KERN: -- at this meeting.

21 It's incredible that we're not talking  
22 about this in my view. It's such a huge investment.  
23 You know, the marsh -- Crissy Marsh was a couple of tens  
24 of millions and here we are. We're on the way to  
25 digging it up.

1 MR. COOPER: As will, you know, 207/231,  
2 you know.

3 FACILITATOR KERN: I have the same  
4 comment at that site.

5 MR. COOPER: Yeah.

6 FACILITATOR KERN: As much as I want that  
7 site gone and as much as I want this site gone, it's --  
8 it would be incredible to backfill that and dig it up  
9 again.

10 Am I strange? Is this a strange comment?

11 MR. COOPER: It wouldn't be two million  
12 dollars, because you'd be digging up clean soil versus  
13 digging up contaminated soil, but --

14 MS. TRIGIANI: And who would be digging  
15 it up again?

16 MR. COOPER: Somebody other than the  
17 remediation department. The trust and the park service.

18 I don't even know that the marsh expansion  
19 project is going to be funded.

20 Brian?

21 MR. ULLENSVANG: I don't know.

22 MR. COOPER: They don't even have funding  
23 at this point.

24 MS. TRIGIANI: So Craig, why do we need  
25 to do this now? Bear with me. This is not a challenge.

1 This is not a challenge. This is a question. Is this  
2 not a project that can be put on hold just in case we  
3 don't have the money? Is there an environmental hazard  
4 that has to be addressed immediately?

5 MR. ULLENSVANG: I would suggest that  
6 there are portions of the site that do need to be  
7 addressed urgently because they are potentially  
8 threatening the marsh.

9 MS. TRIGIANI: Oh, okay.

10 MR. ULLENSVANG: But I'm not trying to  
11 say that the entire area needs to be addressed  
12 immediately.

13 MS. TRIGIANI: Okay. This is probably  
14 all in documentation somewhere.

15 FACILITATOR KERN: I don't want the slow  
16 down the process. I -- but I did want to raise this and  
17 it would be some comfort to me to hear from somebody  
18 about maybe the marsh expansion project and is there  
19 coordination? You know, are they happy? Oh, let it go.

20 I mean, anyway --

21 MR. COOPER: I mean, you see the  
22 situation -- I'm sorry to interrupt, but if we had, you  
23 know -- we knew that the marsh expansion project was  
24 somewhere in the mix, and if the -- you know, I could  
25 have said you know what? I don't think it's going to



1 expand there and gone to Regional Board, petitioned --  
2 change the cleanup levels and the whole excavation  
3 strategy would be different, but then I think it would  
4 get just flipped and remediation would be criticized,  
5 oh, why aren't you cleaning up to -- for this potential  
6 anticipated land use.

7 FACILITATOR KERN: Well, the land use, if  
8 it's going to be a parking lot, is a whole different  
9 land use.

10 MR. COOPER: Mm-hmm.

11 FACILITATOR KERN: I mean, I think that's  
12 something that's worth talking about. All the other  
13 sites, we're talking about other kinds of uses. I mean,  
14 open space, you know, environmentally sensitive  
15 restoration, but I've seen when they put down a parking  
16 lot, they spray it with oil and they put down asphalt  
17 and kind of contaminate that area.

18 I mean, it's -- we're going to  
19 recontaminate it once we dig it up by putting back the  
20 asphalt.

21 I mean, is that right?

22 MR. COOPER: Recontaminate it?

23 FACILITATOR KERN: Well, not maybe at the  
24 same level, but you're going to put something back on  
25 the top.

1                   Anyway --

2                   MR. COOPER:    Yeah.

3                   FACILITATOR KERN:    -- I -- I'm not trying  
4   to say don't go ahead, but it seems like this is a basis  
5   for some comments, anyway, so --

6                   MR. ANDERSON:    I was just wondering if  
7   finding a large hole there wouldn't motivate somebody to  
8   proceed more rapidly with the marsh expansion project.

9                   FACILITATOR KERN:    There's going to be a  
10   large hole.

11                  MR. ANDERSON:    Yeah.   So -- meaning you  
12   do that, maybe you could anticipate not needing to  
13   refill it.

14                  MR. ULLENSVANG:    I'm afraid that under  
15   marsh expansion, there's to be a fair amount of planning  
16   so that you couldn't leave the hole.

17                  MR. ANDERSON:    Can you get the planning  
18   started?

19                  MR. ULLENSVANG:    It might help get the  
20   project going, where it's best to put or vote for reuse  
21   and the hydrology of the marsh, but it's certainly one  
22   of the things that helps with the creation of the  
23   existing marsh is the cleanup at fillsite 7 did create  
24   the beginning of this.

25                  MR. BUDROE:    One thing I'm hearing is the

1 one little item that wasn't said is there any funding  
2 for the marsh expansion and what I heard was no.

3 MR. ULLENSVANG: I'm not sure that we  
4 know if there is or not. I don't know whether I can say  
5 yes or no.

6 MS. TRIGIANI: Who funds the --

7 FACILITATOR KERN: I don't know that  
8 anybody's sought the funding. I mean, there could be --  
9 I don't know the answer to that, either.

10 MR. BUDROE: I mean, and, you know,  
11 thinking about it, the marsh expansion project isn't  
12 going to pick up the tab for the contaminant removal end  
13 of life, and so if it's going to cost 2.5 and 2.7  
14 million dollars to clear that stuff out, fine.

15 If it's going to cost somewhere down the  
16 line \$300,000 to take the backfill avenue, then it might  
17 be better to just go ahead and do it now.

18 FACILITATOR KERN: Right.

19 MR. BUDROE: Especially if it won't be  
20 coming out of the same pot.

21 FACILITATOR KERN: I wonder what that  
22 cost is.

23 MR. BUDROE: Removal of the backfill.

24 FACILITATOR KERN: Right.

25 MR. ULLENSVANG: You could calculate that

1 roughly from the cap because there are numbers  
2 associated with excavation. There's numbers associated  
3 with cost -- putting backfill in.

4 There's costs to dig things out and costs  
5 to put it back in and there's disposal costs where you  
6 could assume it's much cheaper than disposing of a  
7 contaminant soil.

8 MR. BUDROE: You might be able to use  
9 that swale somewhere else in the park since it's clean  
10 fill.

11 MR. ULLENSVANG: Possibly, or somewhere  
12 else that may not be in the park, but some use.

13 FACILITATOR KERN: My purpose was to  
14 raise the issue; not necessarily to settle it, but I  
15 appreciate having that chance.

16 MS. SEGAL: Is there -- is there a time  
17 frame on this potential marsh expansion area that is  
18 being talked about? I mean, do we even know?

19 Given the choice of having a hole there  
20 for a while or filling it and digging it up again,  
21 maybe -- maybe people would rather have a hole for a  
22 while, I mean, if it is -- it just seems like we're in  
23 the game of moving the rocks from one side to --

24 MR. ULLENSVANG: You will based on my  
25 experience during the cleanup of Crissy Field, it would

1 generally not be acceptable to find a hole there for a  
2 long period of time. It's cleanliness and safety sort  
3 of issues.

4 If there's a hole, it will probably have  
5 some water in it, and you run the risk of animals  
6 getting in the hole and it's not designed for animals  
7 because it's not natural and trash begins to collect.

8 So you'd probably try to time the  
9 operations closer than years apart.

10 MS. SEGAL: I'm sorry. So there is some  
11 glide path or timeline for the marsh expansion.

12 Is there a big marsh -- 28 million was the  
13 first one; right?

14 FACILITATOR KERN: Mm-hmm.

15 MS. SEGAL: And there's no -- projection?

16 MR. ULLENSVANG: Craig and I don't know  
17 the path associated with the marsh expansion project. I  
18 think that there may be more known than we know.

19 MS. SEGAL: Okay.

20 MR. COOPER: And I remember -- the last  
21 time I talked to the planning department about this,  
22 they planned on having a public meeting about the marsh  
23 expansion.

24 MR. ULLENSVANG: It's a process that's  
25 underway.

1 MR. COOPER: Yeah. There's a whole team  
2 on marsh expansion, and I thought the public meeting was  
3 sometime this fall, but maybe it didn't happen.

4 I'll double-check, but as you can see,  
5 they're still at the alternative stage, haven't even  
6 selected -- gotten near to selecting an alternative yet,  
7 and after that, they've got to go and find money.

8 So it could be years.

9 MS. SEGAL: And when we talk about the  
10 Commissary PX, when you come in from Lombard Street.

11 MR. COOPER: Mason.

12 MS. SEGAL: So the big hole would be on  
13 the south side of Mason.

14 MR. COOPER: Exactly.

15 MS. SEGAL: And the new marsh is on the  
16 north side?

17 MR. COOPER: Right. The bay side of  
18 Mason. You know where the Sports Basement is? The top  
19 part is going to be dug up by this project, yeah, and  
20 then backfilled.

21 MR. BERMAN: Doug, would it be  
22 appropriate to have a little -- a small technical  
23 discussion at the next committee meeting with a few  
24 numbers?

25 For example, Brian suggests that we could

1 estimate what the re-excavation would cost if it was  
2 clean fill from the volume. Secondly, there's some  
3 urgent remediation that has to be done, so if that's  
4 done, what's the incremental difference in doing the  
5 whole -- the whole thing?

6 If it's small enough, then, you know, it  
7 would seem hardly appropriate to cut it at that stage.

8 So maybe put a with a couple of numbers,  
9 we could get slightly more educated and -- I don't know  
10 if you're the person that can get them, but maybe Brian  
11 and Craig could -- could supply that.

12 And then we could roll it around for a few  
13 minutes, and if it -- if your concerns are such that  
14 the -- with the urgent remediation and the costs of  
15 removal of the clean stuff, look at that package, and if  
16 it's relatively small, then maybe some of your -- your  
17 concern can be assuaged.

18 FACILITATOR KERN: I appreciate that.

19 Anything else?

20 Thanks for bearing with me. A lot of  
21 questions tonight.

22 MR. COOPER: Building 1065 area. As you  
23 know, we've already finished one cleanup under an  
24 interim action there, and we have scheduled a part two  
25 to this interim action that was going to be coordinated

1 with the construction of the water -- I put treatment.  
2 I meant to say recycling plant, and it is a water  
3 treatment plan in a sense, but we're calling it the  
4 water recycling plant, and that particular project is  
5 temporarily delayed for various reasons.

6 And so that's going to affect our ability  
7 on phase II of our interim action, so it's just -- it's  
8 hard to get things done when all these other moving  
9 pieces are going on, and so anyway, I need to meet with  
10 Jim and explain what happened and come up with a  
11 strategy on how to proceed.

12 So all I can say is next slide at this  
13 point.

14 MR. BERMAN: Is any of that affected by  
15 the Doyle Drive considerations?

16 MR. COOPER: No, no.

17 FACILITATOR KERN: Can you talk about  
18 what delays are occurring?

19 MR. COOPER: I think so. I think so.

20 FACILITATOR KERN: I mean, because it was  
21 a bit of a rush.

22 MR. COOPER: We were over budget.

23 FACILITATOR KERN: To get the project  
24 through.

25 MR. COOPER: The interim actions?



1 FACILITATOR KERN: Right.

2 MR. COOPER: We got the first one done,  
3 and we wanted to clean up the contaminated soil to make  
4 way for the construction of the water recycling plant,  
5 and the second one was actually going to be coordinated  
6 in -- it's like concurrent with the construction of the  
7 water recycling plant, and the water recycling plant is  
8 now delayed because it is -- the bids came in  
9 significantly higher than what the trust had expected,  
10 yeah.

11 So -- so much so that, you know, we have  
12 to, you know, think about how to get the bids back down  
13 again, and that could take some time.

14 I don't know. The trust project manager  
15 on the water recycling plant is very optimistic. He's  
16 like "oh, no. I'm going to solve this problem. Don't  
17 worry. I'm going to get this project going again this  
18 soon," and, you know, we've waited for him already --  
19 we've encountered one delay in him getting his plans and  
20 specs together, so I -- it's tricky, because the --  
21 where -- this second part of where 1065 is contaminated  
22 is underneath the building that is protected by the  
23 National Historic Preservation Act.

24 They've -- those folks have been willing  
25 to work with us, you know, in dealing with the building

1 underneath it and so on, and actually I was having the  
2 water recycling plant people do -- take up kind of a  
3 brunt of the costs of shoring and taking the roof off  
4 the building and moving some pillars inside the building  
5 so the remediation department can go in there and dig --  
6 and dig it out.

7 Now the water recycling folks aren't there  
8 to kind of take a big -- a big lion's share of those  
9 costs, so I have to decide whether the remediation  
10 department should go in there and take the lion's share  
11 of those costs and shore the building and take the roof  
12 off and move all these pillars around and take out the  
13 contamination or should we wait, or start -- or go with  
14 an in-situ remedy.

15 MR. SUTTER: Craig.

16 MR. COOPER: Those are the issues I'm  
17 grappling with right now.

18 MR. SUTTER: Do you know whether the  
19 recycling plan -- were the bids so high that they may  
20 have to redesign?

21 MR. COOPER: If it's so high they have to  
22 redesign?

23 MR. SUTTER: Sometimes that's the case.

24 MR. COOPER: I don't know that. I think  
25 right now he's just looking for some, you know, value

1 engineering efficiencies right now to try to bring the  
2 bids down, but I don't know.

3 MR. SUTTER: So the first option will be  
4 to -- to take a look at the bid spec, maybe make some  
5 adjustments and then rebid?

6 MR. COOPER: Right, yeah. But if he  
7 doesn't internally see enough savings, then it might be  
8 a full redesign, and that's where you see the big delay,  
9 yeah.

10 FACILITATOR KERN: Mary.

11 MS. TRIGIANI: Craig, are those plans  
12 under your management and jurisdiction or is that -- is  
13 that the department or trust again?

14 MR. COOPER: The water recycling plant?

15 MS. TRIGIANI: Yeah.

16 MR. COOPER: It's not in remediation.  
17 The operation department, I think.

18 MS. TRIGIANI: So we've got to clean up  
19 under there before they can build?

20 MR. COOPER: Right.

21 MS. TRIGIANI: Mm-hmm. So why do we have  
22 to pay for the building being -- the columns being moved  
23 around and all that sort of thing?

24 MR. COOPER: Right. We --

25 MS. TRIGIANI: Why would that be?

1 MR. COOPER: Well, to get at the  
2 contamination, you need to make sure that the building  
3 is stabilized.

4 MS. TRIGIANI: Okay.

5 MR. COOPER: And I was -- the original  
6 coordination between our two departments is that  
7 operations department was going to pay for that.

8 MS. TRIGIANI: Sure.

9 MR. COOPER: Now their project isn't  
10 moving forward, so there's no reason for them to do it.

11 MS. TRIGIANI: I'm detecting a pattern  
12 here. A lot of projects are on hold that hold us up, so  
13 we have to go in and do stuff and pick up the tab? Or  
14 am I --

15 MR. COOPER: Well, we have to just think  
16 about our strategy. Do we want to go in and pay those  
17 costs and do an excavation remedy, should we wait,  
18 should we do it in-situ? We're not getting forced to do  
19 it.

20 MS. TRIGIANI: Okay.

21 MR. COOPER: But our program that is  
22 fully funded, that has a schedule. It's in our interest  
23 to keep --

24 MS. TRIGIANI: Go along. I'm just  
25 sharing with you some of the struggles I go through in

1 doing that.

2 MR. COOPER: Other departments run into  
3 problems such as -- just like we do. Sometimes we run  
4 into our own delay. Contamination. We've got our own  
5 problems with delay. I've got --

6 MS. TRIGIANI: That's big of you. I  
7 don't have that problem.

8 MR. COOPER: What's that?

9 MS. TRIGIANI: That's very big of you. I  
10 don't have that problem.

11 MR. COOPER: Ha-ha-ha, yeah.

12 MS. TRIGIANI: I just want to make sure.  
13 I'm wondering, though, before I do get challengee about  
14 this.

15 MR. COOPER: Mm-hmm. So, yeah, I'll  
16 report back to you all about, you know -- this  
17 information -- I just found out last week about the  
18 problem with the water recycling plant going forward.

19 MR. ULLENSVANG: Mary, another way you  
20 might want to look at this. Craig was using the water  
21 plant as an opportunity to save some costs. He might  
22 have lost that opportunity. It won't cost him any more  
23 than if the water plant never existed.

24 MS. TRIGIANI: Thank you.

25 MR. COOPER: We've got our expectations

1 very high that we were going to save some money and it's  
2 not panning out the way I had hoped.

3 MR. BERMAN: Is the size of the water  
4 treatment plant set in stone, so to speak? You know,  
5 one way of cutting back on the cost of that is to make  
6 the treatment plant a little bit smaller.

7 MR. COOPER: Yeah. That's really not my  
8 department. All I knew is that there is little  
9 interaction between our two departments. I know very  
10 little about the --

11 MR. BERMAN: Somehow it's got to be --  
12 eventually the capacity and the costs have to be  
13 connected in some way, and it may be possible to build a  
14 treatment plan in two stages, two plants.

15 MR. ULLENSVANG: Hopefully those are  
16 things that the project manager is going to consider.

17 MR. COOPER: Yeah.

18 MR. BERMAN: It doesn't seem like a  
19 really difficult problem at this moment.

20 MR. COOPER: I think it's going to get  
21 worked out. It's just a matter of the time it takes for  
22 them to -- this is the operations department now. The  
23 water recycling people to sort through their problems.

24 When we have our project delays, we sort  
25 them out and we figure it out and we find a way to move

1 forward. I'm hearing now we're going to do the same  
2 thing. It's just a signing -- it's just a signing  
3 issue, really.

4 MR. BERMAN: You may get your savings,  
5 anyway, when they rethink.

6 MR. COOPER: I might. I might, right.  
7 Exactly. I'm hoping still. I'm still optimistic that  
8 I'll get the savings.

9 FACILITATOR KERN: And you can finish  
10 this page and take a break.

11 MR. COOPER: Okay. Well, this one is --  
12 there's nothing new. These are the other two large  
13 corrective action plan sites in the works.

14 Take a break?

15 FACILITATOR KERN: Would that be good  
16 with everyone? All right.

17 (Recess taken).

18 FACILITATOR KERN: It's been requested  
19 that as we reconvene, that before people take off that  
20 we address the issue of one of our members has requested  
21 a leave of absence, and that's something that we should  
22 just take a quick poll on.

23 Is everybody aware that Tracy has  
24 requested a leave of absence?

25 Is there any discussion about that?

1 MR. SUTTER: How long?

2 FACILITATOR KERN: I think it is through  
3 mid-December, if I recall from her e-mail.

4 MS. MONAGHAN: Fall term.

5 FACILITATOR KERN: Going to school.

6 Is there any objection?

7 All right. Then seeing no objection, then  
8 I would say that her leave has been granted.

9 MS. MONAGHAN: Thank you.

10 FACILITATOR KERN: And I don't know if  
11 Mark is still going to come for his report, so we can  
12 cycle back to yours.

13 MR. COOPER: The old standby, huh?

14 Okay. This has a very long-term,  
15 development of fresh water TPH diesel and fuel oil point  
16 of compliance concentrations report.

17 What it's all about is there's these, you  
18 know -- two ecological zones in the Presidio: The  
19 saltwater protection zone that we've been talking about  
20 and a freshwater eco zone.

21 The saltwater is down by the marsh, and  
22 the saltwater is Tennessee watershed, plus or minus, to  
23 simplify it.

24 The Army -- because these are ecologically  
25 sensitive zones, we need to make sure that our cleanup



1 levels are protective and consider the value of these  
2 zones, and the Army had developed cleanup -- this is all  
3 about cleanup levels, okay.

4 The Army had developed cleanup levels for  
5 just gasoline for both zones, saltwater and  
6 freshwater --

7 MR. ULLENSVANG: It was everything in the  
8 saltwater zone. Just gas tanks in the freshwater zone.

9 MR. COOPER: They had done gasoline, fuel  
10 and diesel in the saltwater zone, but only gasoline in  
11 the freshwater zone. That's what the trust inherited,  
12 so that's what it says.

13 The point of this is to find these two  
14 missing cleanup levels, one for diesel and one for fuel  
15 oil in the freshwater ecological protection zone.

16 So whenever we're cleaning up petroleum  
17 contaminated soil in Tennessee Hollow area, we want  
18 to -- we want to make sure that we cleanup to the right  
19 levels.

20 This was a requirement in the court order  
21 that we got last year from the Regional Board order, and  
22 we met with the Regional Board, the trust did with the  
23 park service and we came up with this idea.

24 The traditional approach to come up with  
25 these type of ecological protective cleanup levels, for

1 example, the way the Army did it, which is the  
2 traditional eco risk assessment type approach is where  
3 you do -- it's called amino -- bioassays. Thank you.  
4 Basically putting aminos in a tank and then adding  
5 little bits of contaminants in it and see how they do,  
6 to see how fast they die.

7 MS. TRIGIANI: Oh.

8 MR. COOPER: And then you back-calculate  
9 cleanup up levels for that.

10 So as you can imagine -- and as you can  
11 imagine, there's a lot of assumptions that go into that.  
12 You got to find -- it's better -- instead of just  
13 bringing in fuel oil from Richmond, you know, you want  
14 the fuel oil that's specific to the Presidio, that's  
15 weathered because it might have a toxicity, you know,  
16 profile that's different than other fuel oils, et  
17 cetera.

18 So, anyway, it's a complicated work plan  
19 to put together. It's very expensive. You got to bring  
20 in specialists, and so the trust in coordination with  
21 the park service and the Regional Board, we came up with  
22 an idea of basically just kind of, for purposes of  
23 protectiveness, looking at some of the saltwater numbers  
24 and looking at some of the freshwater numbers, the  
25 freshwater number for gasoline, and coming up with a

1 strategy of just borrowing those numbers and making sure  
2 that they would be protective for fuel oil and diesel.

3 So -- to kind of leap over the bioassay  
4 approach and just get to some numbers that everybody  
5 feels comfortable with and -- so that's what we did, and  
6 we sent Jim a -- a report on that and he approved it.

7 And so that -- that issue was done. We  
8 have cleanup levels for all three petroleum type  
9 contaminants now in Tennessee Hollow.

10 The other things in the petroleum program,  
11 we submitted Jim a petroleum site contingency action  
12 plan, how to deal with petroleum contamination that  
13 isn't in our -- isn't a known site, and we're basically  
14 clean closing it to our cleanup levels, and Jim's  
15 approved that plan, and a copy of the plan is on the  
16 trust web library if you want to take a look at it.  
17 It's under petroleum contingency plan folder.

18 Graded area 9 sand. We talked about this  
19 before. We're piling some sand over at graded area 9  
20 from the de Young Museum. It's -- we're about halfway  
21 done, I think, maybe a little bit more.

22 We've stopped right now, as you'll .  
23 We're kind of in between excavations over at the de  
24 Young. It's our first time showing some pictures from  
25 the source area over at Golden Gate Park.

1           You can see that -- where they've been  
2 digging and where our sand has been coming from.  
3 There's another picture. That's the aquarium; right?

4           MS. MONAGHAN:   Academy of Science.

5           MR. COOPER:    Yeah. So they're starting  
6 the garage excavation now over at the Academy of  
7 Sciences, and once they get down deep enough, we'll get  
8 into some good sand.

9           We know that the first excavation of this,  
10 there were some colma and some other stuff in it that --

11          MR. ANDERSON:   There was some what?

12          MR. COOPER:    Colma soil.

13          MR. ANDERSON:   Oh.

14          MR. COOPER:    We wanted the good dune  
15 sand, so we told them to stop the trucks, wait till you  
16 get down a little bit deeper and get into some better  
17 dune formation before the trucks start going again.

18          Is that accurate, Lew?

19          MR. STRINGER:   Yes.

20          MR. COOPER:    And there it is, the sand  
21 pile. I think I showed this last month. Not that much  
22 sand has arrived over the last four weeks, very little  
23 because of this waiting for -- getting better source  
24 sand from Golden Gate Park.

25          As you can see, it's a pile. That's the

1 Baker Beach Apartments. You know, you're looking --  
2 that's the back end of the Baker Beach Apartments there.

3 Mustard agent site, the bane of my  
4 existence. I hate this site. It's still fenced in with  
5 the high fence. I -- you know, we're going into another  
6 rainy season, so the trust is -- we're going to have to  
7 get in there.

8 We've put in emergency controls in there.  
9 It's full of weeds. It's a total eyesore. I'm getting  
10 very grumpy about this site because we need to maintain  
11 it, but it's also a site where potentially -- even  
12 though it's a very low potential -- that there could be  
13 some additional bottles in the soil that DTSC is  
14 concerned about that.

15 So any time people go in there, you know,  
16 we have a health and safety officer. We redo -- every  
17 time we redo the training about unknown object training,  
18 what to do.

19 You can't dig -- you can't just start  
20 jamming shovels into the ground. You got to dig with  
21 care, and it's -- it's becoming quite a pain for not  
22 only me, but for our restoration people who really want  
23 to get in there and finish this project up.

24 So I know I've been complaining about this  
25 site for a while now to try to get some emotion going

1 here. I'm going to write the Army a letter about --  
2 I've already sent them a letter that "you're paying for  
3 our maintenance of this site for the time being."

4 I don't think I can charge them, you  
5 know -- my restoration people also want me to charge  
6 them for when they do clear out, get the closeout for  
7 DTSC to pay for the planting, also.

8 I think that might be a little  
9 overreaching, but I'm certainly planning on charging the  
10 Army for the fence that we put in, the -- all the site  
11 maintenance that we've been going on, the trainings that  
12 we have to do for folks.

13 It's, you know -- it's not a ton of money  
14 so far, but it's more of just a hassle factor and more  
15 of an eyesore.

16 I'm surprised I have not received more  
17 complaints from the public at this point in time. I  
18 don't know.

19 MR. SUTTER: What is the Army supposed to  
20 do at this point? Are they supposed to say that "the  
21 cleanup we did is sufficient? Therefore you can restore  
22 the site"?

23 MR. COOPER: We are expecting the Army --  
24 yeah. They have to make a decision about this site and,  
25 you know, remember the archive search report that

1 unveiled several other potential sites similar to this  
2 site.

3 They need to tell us about the risk that  
4 this site poses and these other sites and develop a work  
5 plan acceptable to DTSC to get closure for them,  
6 whether -- you know, I'm not even going to get. Whether  
7 they need to do some field investigations, take some  
8 samples, whatever.

9 They need to get closure from DTSC before  
10 the trust can get back in there and finish our planting.

11 So --

12 MR. BOGGS: I was going to say. I can  
13 add a little bit to that. I talked to Bruce Handel  
14 recently, as well, and -- in between getting delays and  
15 similar to what Craig has felt, I'm sure.

16 When they completed the archive search  
17 report, based on that report, they were supposed to  
18 review that and then come up with a plan for, like he  
19 said, additional sampling of what work needs to be done.

20 They actually completed that. That --  
21 there's a table that went along with that that then goes  
22 from the Army Corps of Engineers to the BRC office,  
23 which is an actual Army office, base realignment and  
24 closure.

25 There is apparently some concerns at the

1 Army level about direct, that the corps had what our  
2 next steps are, so they've kind of been a discussion  
3 mode -- well, there's a lack of discussion and the Corps  
4 of Engineers, which is Bruce Handel would actually do  
5 the work or oversee it, is waiting for direction from  
6 the Army because the Army didn't like the  
7 recommendations that were coming out.

8 So at this point, trying to get a timeline  
9 out of him is very difficult, and -- but I do know  
10 nothing's going to happen before October, and that would  
11 be the earliest we could expect anything from him.

12 FACILITATOR KERN: Is there -- I'm sorry.

13 MS. CLEEK: They don't let you know what  
14 those findings are, what they're proposing for a course  
15 of action, so that's still unknown to everyone?

16 MR. BOGGS: Correct. That's what we've  
17 been waiting for for a considerable amount of time is to  
18 find out what our next steps are.

19 MS. CLEEK: But we --

20 MR. BOGGS: Or what the next steps are  
21 that the Army's going to propose.

22 MS. CLEEK: But the next steps in the  
23 report apparently are not accessible to --

24 MR. COOPER: Another section of the Army.

25 MS. CLEEK: Another section of the Army,



1 but we don't know whether that means that they want to  
2 dig up the entire area or they don't want to do  
3 anything?

4 MR. COOPER: Right.

5 MR. BOGGS: Correct.

6 MR. COOPER: We don't know.

7 FACILITATOR KERN: Should we be thinking  
8 about something post October that we can -- as a RAP  
9 begin to do?

10 MR. BOGGS: I've got a briefing with my  
11 management based on -- it was just yesterday that I  
12 talked to Bruce, where I need to brief them on my  
13 conversations with Bruce.

14 We've held off on writing a letter.  
15 That's kind of what we were going to do previously, but  
16 I think as we continue to get put off here, at some  
17 point I'm sure my management's going to want to elevate  
18 it up a little bit.

19 FACILITATOR KERN: It seemed at one point  
20 that we were fairly agitated about Baker Beach and there  
21 was an area over by the Burger King which was a hand  
22 grenade area --

23 MR. COOPER: Mm-hmm.

24 FACILITATOR KERN: -- and so I guess we  
25 should have in our minds that we'll do something if --

1 if the -- between you two guys, you know, it keeps  
2 getting -- we have to think about what to do.

3 MR. BUDROE: What about a RAB of Nancy  
4 Pelosi?

5 MR. BOGGS: I think those options are  
6 down the line. Those are definitely available to the  
7 RAB. It's not something that I can pursue, but --

8 FACILITATOR KERN: I mean, I think we can  
9 put together the picture of how long it took to get the  
10 report, how long all the letters you guys have sent and  
11 still nothing has happened kind of thing, so --

12 MR. COOPER: Mm-hmm. It doesn't have to  
13 be an angry letter. It can be an anxious letter.

14 MS. SEGAL: Did we actually get the  
15 archive search report, and if so, what?

16 MR. COOPER: About a year ago.

17 MS. SEGAL: Is that when they came out in  
18 December and said they were going to --

19 MR. COOPER: Remember, and they presented  
20 the archive search report?

21 MS. SEGAL: That was December?

22 MR. COOPER: I think it was around  
23 October.

24 MS. SEGAL: Then that's right. They were  
25 going to do something in December?

1 MR. COOPER: They were going to do  
2 something in December. Let's pull this original  
3 presentation. I don't like pointing fingers at other  
4 people's project delays. I know I've got my own to deal  
5 with.

6 MS. CLEEK: Is there anything really  
7 critical that needed to be addressed by January?

8 MR. COOPER: That is what we're still  
9 waiting on.

10 MS. CLEEK: I thought they were going to  
11 do a first pass.

12 MR. ULLENSVANG: We asked them to.

13 MS. CLEEK: In the letter, and they've  
14 never done either one; right?

15 MR. ULLENSVANG: They haven't come back  
16 from that.

17 MR. COOPER: That's right.

18 FACILITATOR KERN: So it doesn't have to  
19 be an angry letter, but it would probably be --

20 MS. PASSERO: It can be assertive.

21 MR. SUTTER: Why not an angry letter.  
22 The Army deals with anger. They understand that.

23 MS. TRIGIANI: They understand surly,  
24 don't they?

25 MS. MONAGHAN: 10-14.

1 MR. COOPER: 10-14. Thanks.

2 MR. COOPER: The next RAP meeting will be  
3 the one-year anniversary.

4 FACILITATOR KERN: Right.

5 MR. COOPER: Okay. Project closeouts.  
6 Some remediation projects really do make it to the  
7 final -- the final stage, and so these are three that  
8 are with the regulators. There they are.

9 Groundwater monitoring, same old thing.  
10 Lead based paint, some old thing.

11 On our schedule, it's what I talked about  
12 before, the importance of RAP 3 and RAP 4. I'm getting  
13 concerned about RAP 4, but we need to -- the trust and  
14 the park service need to work out the landfill 10  
15 feasibility study issue so we can get RAP 4 out to the  
16 regulators and to you all to comment on, because we're  
17 hoping to -- we're hoping to do a lot of stuff in 2005,  
18 December of 2005.

19 We need to get RAP 3 and 4 done this  
20 winter and signed by next spring to do remediation work  
21 next summer, and the enforceable schedule, I need to  
22 meet with Jim, what I talked about with the 1065  
23 problem, with the water recycling plant and RAP 3 is due  
24 to Bob soon.

25 Oh. On this one, I've -- I've got a

1 letter to Mark regarding the -- I think Dave asked for  
2 the -- the summary table that I presented to the trust  
3 board of directors, so here's a letter to Mark.

4 I guess since he's not here, I'll mail it  
5 to him, but I copied Dave and Doug on the letter, and if  
6 anyone else wants this. It's a -- it's a letter  
7 basically transmitting the table. You can pass this  
8 down to Dave.

9 And -- but if anybody on the RAB,  
10 regulators, whatever, I'll post it on the web library.  
11 It's only two pages, so it will be really easy to  
12 download in PDF, or if you want your own copy, I can  
13 mail you a copy, too.

14 MS. SEGAL: Craig, when you say you  
15 presented it to the trust board and that they didn't  
16 have any real questions or issues with it --

17 MR. COOPER: No.

18 FACILITATOR KERN: One --

19 MR. COOPER: They're leaving it up to me  
20 to stay on schedule and stay on budget, you know.  
21 That's -- they've got their hands full on other things.  
22 So they asked some questions.

23 They're definitely interested in this, but  
24 they don't want me to mess up, basically. That was  
25 their bottom line, you know, advice.

1 MS. SEGAL: But Alan was with you at the  
2 meeting?

3 MR. COOPER: Mm-hmm.

4 FACILITATOR KERN: Do you think there  
5 will be an opportunity to review the backup spreadsheets  
6 for this thing that's going on?

7 MR. COOPER: That's a good question.  
8 I -- I need to think about that. That's something --  
9 I'll try to get back to you by next month about that  
10 one.

11 MS. SEGAL: Doug, are there questions  
12 that you might want -- that we could ask Alan or do you  
13 want to -- how does that work?

14 FACILITATOR KERN: In the past -- I mean,  
15 a lot of all of this comes down to legal things, what  
16 are people required to do and what are they willing to  
17 step forward and do beyond legal requirements and then  
18 what are the costs of doing those things, so a lot of it  
19 is in the details of what's being done in those cost  
20 estimates, and that we just have to pour over it, take  
21 the time to analyze it, see what could be changed, just  
22 ask questions on it. That's what I would do if I had  
23 access to.

24 MR. SUTTER: I guess my question of Craig  
25 is: When can we expect to see a project cost report

1 prepared in the format per our letter with all the cost  
2 fields, et cetera?

3 I know Alan's been working on  
4 collecting --

5 MR. COOPER: Right.

6 MR. SUTTER: -- data and reconciling --

7 MR. COOPER: Because we got all the past  
8 costs we need to sort out, project specifically.

9 MR. SUTTER: So when do you think he'll  
10 be able to, you know, get on to that phase of -- of the  
11 overall task --

12 MR. COOPER: Yeah.

13 MR. SUTTER: -- and produce a sample cost  
14 report that we can take a look at?

15 MR. COOPER: Let me ask. I know that he  
16 works on -- he works on it and then I distract him on  
17 something else and then he goes back to it.

18 Let me ask him how he's doing on his  
19 progression on that.

20 So you're not even asking for all the  
21 projects, obviously. Just one that we can dry run.

22 MR. SUTTER: Just a sample. Just to see  
23 how he can be in following that format --

24 MR. COOPER: Right.

25 MR. SUTTER: -- given the data

1 collection --

2 MR. COOPER: Right.

3 MR. SUTTER: -- and the information that  
4 he's gotten from accounting and whether all the data is  
5 coming together, you know, so that that kind of report  
6 can be formatted in the -- in the way that we had -- we  
7 had discussed and agreed to.

8 MR. COOPER: Okay. Let me find out. And  
9 maybe we can just do landfill 4 or something like that,  
10 one where there's been a lot of cost incurred and it's  
11 well down the pipeline.

12 Okay. So recently released documents.  
13 We've sent out the draft fillsite 6 restoration plan  
14 that I talked about.

15 We're going to make some revisions to that  
16 and resubmit it, but for the most part it's done. The  
17 petroleum plan, the sampling for pesticides at mountain  
18 Lake.

19 We've got a whole bunch of things in the  
20 pipeline that we should be putting out very soon.

21 That's it. Thank you.

22 FACILITATOR KERN: Thanks for all that.  
23 One question came up near the end, but it's back to  
24 Baker Beach, disturbed area 3.

25 MR. COOPER: Mm-hmm.



1 FACILITATOR KERN: I was wondering since  
2 I recall being in meetings where people were thinking  
3 about how to dig it up and there were lots of  
4 discussions around digging up that site, and then when  
5 you brought in the contractor to actually dig it up,  
6 they did some of like that, but did some of it their own  
7 way? Is that fair?

8 MR. COOPER: As far as what the plans and  
9 specs -- the design work plan said on how to do the  
10 project versus -- we didn't -- I mean, Brian, correct me  
11 if I'm wrong.

12 I don't think we specified the whole part  
13 that the contractor had to bring the waste up. We  
14 didn't specify that.

15 FACILITATOR KERN: Well, I'm referring to  
16 the part where you're going to leave a lot of the lower  
17 material in place.

18 MR. COOPER: Mm-hmm.

19 FACILITATOR KERN: -- and dig the higher  
20 stuff and dig down to it. There was a whole lot that we  
21 did specify, phase I and phase II.

22 MR. COOPER: That was for slope stability  
23 reasons.

24 FACILITATOR KERN: I guess I was  
25 wondering. It was just a long period of time, and I

1 would expect funds spent on all that.

2 Would you do anything different for future  
3 landfill? I mean, have you discovered any cost saving  
4 things that you would either not do in the future or  
5 other -- are we going down the learning curve, in other  
6 words?

7 MR. COOPER: Mm-hmm.

8 FACILITATOR KERN: Just a general  
9 question. We're saving money on digging up.

10 MR. COOPER: Right. I can talk to  
11 Jennifer and George. Nothing has been elevated to me  
12 about "wow, you know, next time" -- a lot of little  
13 things have come up, you know, but nothing that would  
14 have significant cost savings.

15 If we get the memo that Cal has, whether  
16 it's cost-effective to try to treat that on-site. RCRA  
17 has -- could have -- if we had some significant areas  
18 that RCRA has, the treatment, how cost effective that  
19 works out, but that's really two cost items. The volume  
20 of what you're going to end up digging up and what it  
21 goes out as, Cal haz or non-Cal haz.

22 FACILITATOR KERN: Well, I was also  
23 thinking we do -- it seems like we spend a lot of money  
24 on the pre-construction drawings and design engineering  
25 and all that.

1 MR. COOPER: Mm-hmm.

2 FACILITATOR KERN: It just seems to me  
3 that we should be able to -- we're digging holes in the  
4 ground and we should be able to save somehow some of  
5 that engineering when we do other digging up projects.

6 We don't have to spend a lot of time here,  
7 but just --

8 MR. BOGGS: On some of the other  
9 diggings, it might be so, but I think some of the design  
10 went into the slope stability analysis, that kind of  
11 stuff to assure public safety, the safety of the  
12 workers, et cetera.

13 So some of that kind of stuff. Like when  
14 we go to Baker Beaches 1 and 2, it's just going to be  
15 required.

16 Whereas excavation of 6A, that didn't have  
17 to go to Sacramento to get a special engineering review.  
18 It's not even going to be a big hole, big enough mound.

19 So I think on some of the simpler sites,  
20 you're right, that some of the engineering costs should  
21 be considerably less.

22 When putting the specs together, they  
23 should be able to save some other stuff, but some of the  
24 other ones, you really have to do your homework first.

25 FACILITATOR KERN: Thanks, Craig. That

1 was a long report. Thanks. There's a lot of work in  
2 here that you're doing. So appreciate that.

3 On to 6. Bob.

4 MR. BOGGS: Just one quick little thing.  
5 My department had received some calls alleging illegal  
6 trucking at Baker Beach 3, and so our enforcement  
7 department had actually gotten involved and we had a  
8 meeting with Craig, got copies of all their manifests,  
9 et cetera.

10 I got to talk with them just last week and  
11 preliminary findings are in. It's not all final, but  
12 apparently what happened is a couple guys got sent out  
13 here that didn't have their proper transportation  
14 certificates to be a hazardous waste trucker.

15 Because they got sent out here, they  
16 actually got the contractor for -- the Presidio actually  
17 stopped them because they didn't have correct papers.

18 Well, these individuals that got stopped  
19 went back, because they got sent out here, and filed a  
20 complaint with our agency. The truckers without proper  
21 papers are being sent to the Presidio to handle  
22 hazardous waste.

23 Well, it turns out that the only people  
24 that were sent here to do that were those two that got  
25 caught, so basically some people did try to sneak in

1 under the radar. The trust contractor caught them and  
2 everything seems to be all in order.

3 That's about it.

4 FACILITATOR KERN: Anything, Jim?

5 MR. PONTON: No.

6 FACILITATOR KERN: Thank you, guys.

7 This may be an old business item, but I  
8 thought I would check on the status of maybe some of  
9 those previous transcripts from various months that  
10 aren't in the library.

11 MR. COOPER: I delegated that Denise --

12 FACILITATOR KERN: Okay.

13 MR. COOPER: -- and I haven't checked. I  
14 haven't been able to --

15 FACILITATOR KERN: Any other new  
16 business?

17 So action items. I have created one  
18 evidently for myself to -- for the next committee  
19 meeting to do some work on 1065 comments and maybe  
20 examine the costs of the excavation and re-excavation  
21 and come up with some scenarios.

22 MR. COOPER: You mean Commissary PX.

23 FACILITATOR KERN: What did I say?

24 MR. COOPER: 1065.

25 FACILITATOR KERN: Yeah. Thank you.

1 Commissary.

2 And so I'm going to do that, and we have  
3 archive search report, potential letter on our radar  
4 screen.

5 Any other action items? Dave.

6 MR. SUTTER: Yeah. I had asked Craig at  
7 the last committee meeting if for the next committee  
8 meeting it would be possible for him to do a master  
9 program schedule update presentation.

10 Is it possible for the next committee  
11 meeting?

12 MR. COOPER: At the -- that would be  
13 September 28th?

14 MR. SUTTER: Yeah. I think you mentioned  
15 you'll be doing an update, anyway.

16 MR. COOPER: Yeah. I'm doing an update  
17 for Bob. It's due October 1st, so hopefully -- it  
18 oftentimes comes right down to the wire, but if it's  
19 ready by September 28th, I'll try to have it ready by  
20 then.

21 MR. SUTTER: Okay.

22 MR. COOPER: But if I can't, it will be,  
23 you know, October 1 for sure -- yeah.

24 MR. SUTTER: Doug, I should mention  
25 something about the insurance. At the last committee

1 meeting, Mark had given me the responses to the FOIA  
2 request from both the trust and the park service.

3 In those responses, they indicated a time  
4 deadline for appeals, if we were to appeal.

5 As it turned out, by the time I got the  
6 responses, the appeal period for the trust had already  
7 expired and the one for the park service was only two  
8 weeks away.

9 However, Mark was going to talk with you  
10 because it doesn't seem like it would be worth --  
11 worthwhile to appeal the FOIA response.

12 They've simply kept redacted all the key  
13 information that's been redacted previously, and it's  
14 kind of -- doesn't look like there's any indications  
15 that that information will be -- will be made available  
16 to us through the FOIA process.

17 At any rate, tomorrow is the deadline for  
18 filing an appeal to the park service. I just wanted to  
19 update --

20 FACILITATOR KERN: Yeah, thanks.

21 MR. SUTTER: -- the RAB, and I advised  
22 Mark after the last committee meeting the next day about  
23 these deadlines and he was going to discuss it with you  
24 and see what we would do. I haven't heard anything.

25 FACILITATOR KERN: Yeah. We didn't -- we

1 didn't -- we didn't talk about the appeal process yet,  
2 so given that tomorrow's the deadline, let's take a  
3 minute and just see what is involved in the appeal and  
4 what are the chances that we will be successful.

5 MR. SUTTER: Well, there's two questions.  
6 Number one, the appeal periods indicated in the letters  
7 from the park service and the trust are those statutory  
8 or discretionary. I think that would be one question.

9 Secondly, the FOIA request was rejected on  
10 the basis of the exclusion under FOIA that the  
11 information is a trade secret. In the insurance policy,  
12 it's a proprietary trade secret.

13 In order to file an appeal, I don't know  
14 how one would do that and when one doesn't know what it  
15 is that's a trade secret because it's redacted.

16 It's sort of a Catch 22. I don't know how  
17 you file an appeal other than to say, "We don't accept  
18 the rejection. We are hereby appealing."

19 There's no information upon which to base  
20 an appeal because the information is redacted.

21 FACILITATOR KERN: You know, I appreciate  
22 that there's a deadline for an appeal and I appreciate  
23 your comments, but it seems like there's a larger issue.  
24 I mean, these agencies took their time to respond back  
25 to us, so I'm not as concerned about the deadline.



1                   They could reject our appeal based on we  
2   didn't get it in in time, but larger issue, I mean,  
3   is --

4                   MR. SUTTER:   As I mentioned, is it  
5   mandatory or discretionary?

6                   MR. ULLENSVANG:   My understanding from  
7   the Department of Interior is that the appeal period is  
8   respected very much, and so it is a date and time frame  
9   that is looked upon in reviewing.

10                   If it comes in after the review period,  
11   it's not looked upon favorably.

12                   FACILITATOR KERN:   Well, I mean, we can  
13   submit it tomorrow, and the question is is what we base  
14   the appeal on. Do we just say, "We appreciate your  
15   denial of our request. Please give it to us what we  
16   want. I mean --

17                   MR. SUTTER:   But, you know, it's quite  
18   clear we've asked for this information informally. It's  
19   been rejected. We've asked for a FOIA request. It's  
20   been rejected. We could file an appeal and six months  
21   from now or a year from now, the appeal will be  
22   rejected.

23                   It seems to me like we're spinning our  
24   wheels to go the FOIA route. That's just a personal  
25   opinion, but I think the history -- the history of this

1 issue has indicated that we may just be spinning our  
2 wheels by continually going through this hoop,  
3 bureaucratic hoop.

4 So that's just my personal response to the  
5 situation --

6 FACILITATOR KERN: The --

7 MR. SUTTER: -- as it developed to date.

8 FACILITATOR KERN: Do you know if there's  
9 a special form for the appeal?

10 MR. SUTTER: No. Mark had handled the  
11 original FOIA request, so -- I was not involved.

12 FACILITATOR KERN: Sara.

13 MS. SEGAL: The letter probably says what  
14 you have to do to appeal.

15 MR. ULLENSVANG: I know the park service  
16 has a special form that would answer any questions for  
17 the format that you have to use. So you can call the  
18 woman who's referenced in the letter.

19 FACILITATOR KERN: I can talk to Mark and  
20 see, you know, what the options are.

21 Is it the consensus here or the sense of  
22 the board that you would want to have this done by  
23 tomorrow? Do you want to pursue an appeal?

24 I mean, without getting into all the  
25 reasons pro or con, it seems like just getting in the

1 appeal at least preserves our options.

2 I mean, that would be my impression is to  
3 get in an appeal and preserve the option. Yes.

4 MS. TRIGIANI: And any appeal depending  
5 on what the form is and how much time it's required of  
6 people that are doing this, and I assume it's you and  
7 Mark, maybe, and maybe Dave, maybe to put more questions  
8 to them as part of the appeal process.

9 In other words, we're not only appealing  
10 this, we want you to define what you mean by a "trade  
11 secret" and why this applies.

12 FACILITATOR KERN: Okay.

13 MS. TRIGIANI: I mean, I think we've  
14 all -- since I've been on the board or since we talked  
15 about this, we understood we were dealing with the trade  
16 secret argument, but as long as we're staying in the  
17 game, we might as well make them do a little bit of  
18 explaining.

19 Was there anything else in there, Dave,  
20 that they cited? That was the only thing they said was  
21 that it was a trade secret issue?

22 MR. SUTTER: Yeah. There were nine  
23 exemptions and four exclusions that a federal agency  
24 can -- can cite to reject a FOIA request, and this is  
25 exclusion 4, which is the trade secret, proprietary

1 information exclusion. That's all they cited.

2 FACILITATOR KERN: Is there any -- is  
3 there any objection to filing an appeal on this?

4 All right. Any -- from you, Dave. I know  
5 you said it wasn't necessarily -- but I think we should  
6 at least -- we put enough work into in that I would want  
7 to get the appeal in and then I think using this process  
8 to alert others that this information isn't forthcoming  
9 and it shouldn't be a trade secret at this date this  
10 many years after the fact.

11 I mean, that's my non-legal opinion,  
12 but --

13 MS. TRIGIANI: Yeah, and how long --

14 MR. SUTTER: I don't think the issue is  
15 insurance at all. There's something else going on here  
16 which is being -- kept confidential.

17 FACILITATOR KERN: Sara and then George.

18 MS. SEGAL: It seems to me Zurich that is  
19 claiming a proprietary issue and their lawyers and I  
20 think as long as we've gone this far, we -- if we miss  
21 the deadline for the appeal, then it's over, so we might  
22 as well push it to the end and see what happens.

23 FACILITATOR KERN: George.

24 MR. DIES: I would say they weren't  
25 writing policies. There aren't that many base closures.

1 Therefore, their argument doesn't hold water.

2 FACILITATOR KERN: All right. Well,  
3 we'll get something.

4 Thanks, Dave.

5 So we have for next meeting this  
6 commissary issue, scheduled update and we'll report on  
7 the appeal that we got in.

8 And anything else, get to us so we can get  
9 on the agenda.

10 Any other items before we close?

11 MS. SEGAL: The -- are we -- did we  
12 follow up on this TEA grant meeting?

13 MR. COOPER: By the --

14 MS. SEGAL: If we can, because that's on  
15 the 23rd.

16 MR. COOPER: We can talk about it at the  
17 committee meeting or the next October -- or the October  
18 RAB meeting, either one.

19 FACILITATOR KERN: Okay.

20 Anything else before we close?

21 Thanks to everyone for coming out tonight.  
22 Without objection, meeting adjourned.

23 (The meeting concluded at 9:36 PM).

24 ---o0o---

25

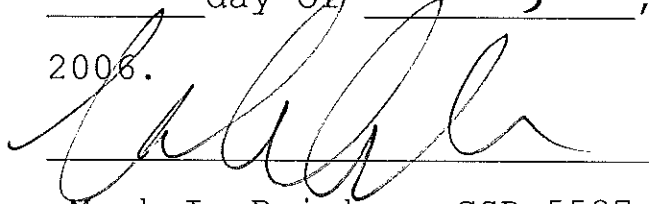
1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )  
3

4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the  
6 time and place therein stated; that the foregoing is a  
7 full, true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the  
10 foregoing meeting and caption named, or in any way  
11 interested in the outcome of the cause named in said  
12 action.

13  
14 IN WITNESS WHEREOF, I have  
15 hereunto set my hand this

16 5 day of January,  
17 2006.

18   
19 Mark I. Brickman CSR 5527  
20  
21  
22  
23  
24  
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, OCTOBER 11, 2005  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Craig Cooper

Brian Ullensvang

Mark Youngkin

Deven Dernarala

Sam Berman

Jan Monaghan

Julian Hultgren

John Budroe

Gloria Yaros

Michelle Passero

Jan Blum

Edward Callanan

Bob Boggs

George Dies

Also Present:

Bill Bir

Mark Frey

Andrea Andersen

Jeff Deis

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on October 11, 2005, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

---o0o---



## AGENDA

	Page
1) Welcome and Introductions - Doug Kern:	4
2) Presentation of RAB member service awards	5
3) Reports & Discussions	
* Update on fillsite 6 - current status	14
* Landfill 10 discussion with models - not discussed	
* Results of meeting with Craig Middleton	60
4) Adjournment	83

1 FACILITATOR KERN: Good evening, everyone.  
2 I'd like to welcome everyone tonight to the regularly  
3 scheduled meeting of the Presidio Restoration Advisory  
4 Board. Welcome to the Presidio Trust, National Park  
5 Service, our regulatory community, RAB members, community  
6 RAB members and members of the trust and other members of  
7 the trust and the contractors.

8 I would -- I think I would just like to  
9 introduce a couple of people that are here in our audience  
10 tonight. Of course you know Mark is here with the trust  
11 and Andrea Andersen --

12 MS. ANDERSEN: Yes.

13 FACILITATOR KERN: -- who is an attorney  
14 with the trust and working on environmental issues and  
15 relatively new, as I understand.

16 MS. ANDERSEN: It's just been a month that  
17 I started working with the trust.

18 FACILITATOR KERN: Thank you for coming  
19 tonight.

20 And we have Jeff Deis, the chief operating  
21 officer for the trust. There's so many acronyms that we  
22 use here, I want to make sure I have that right, and we  
23 welcome him tonight.

24 Before we get started, I want to make sure.  
25 Does everyone have an agenda? Are there any announcements

1 or old business before we get started?

2 Before we begin our regularly scheduled  
3 program, tonight is a particularly important evening. We  
4 have some of our members who have served with us now for  
5 ten years, and that is really a remarkable contribution to  
6 this group, and so I think I'd like to say just a few  
7 general things and maybe I'll have some of these folks say  
8 a few things, and then maybe a few specific things and  
9 then we can just comment for a couple of hours on the  
10 great contributions that have been made, and actually,  
11 Jeff is going to have to take off soon, but we're pleased  
12 to have him here to help presenting these awards tonight.

13 So what does it really mean that some of  
14 these folks have worked with us now for ten years on this?

15 Well, we go back to the early days when the  
16 Army was here and we were having four meetings a month or  
17 more, many, many meetings during the day, and it was  
18 really quite a different setting.

19 So the people that have been around here  
20 those long years bring a perspective of -- of years and  
21 also just how much has been accomplished essentially since  
22 the Army has left.

23 There's been a great deal accomplished in  
24 the programs since the Army has moved on, and these three  
25 people that we're going to recognize have had a tremendous

1 influence on how that was done.

2 So let me just ask Craig or Jeff, did you  
3 have anything in general that you wanted to add? And then  
4 we can talk about the three individuals.

5 MR. COOPER: In general, no. Just -- I  
6 have some thoughts about each of the people.

7 MR. DEIS: I have something in general.

8 FACILITATOR KERN: Go ahead.

9 MR. DEIS: I find it very remarkable to  
10 find people committed to an organization like this for  
11 such a period of time as you all have been.

12 I understand that the three people we're  
13 recognizing tonight aren't the first ones that have been  
14 here for ten years, that we actually have people that have  
15 been committed for eleven years like yourself, Doug.

16 And so I just -- in this day and age when  
17 people move from job to job -- and I think the average  
18 tenure of someone at a job is maybe four or five years,  
19 something like that, and you don't see people committed to  
20 an organization or a cause or a job for a real length of  
21 time like perhaps was more common in the past, I find it  
22 remarkable and impressive that this group has been around  
23 for so long that there's so many people committed to it  
24 and that you've got three people today that have been here  
25 for ten years.

1 I think it's remarkable given how the rest  
2 of the world seems to work sometimes. So I just want to  
3 thank you all.

4 FACILITATOR KERN: I just wondered how to  
5 pick an order, so I just picked alphabetical order.

6 The first person that we'd like to honor  
7 tonight is Julie Cheever.

8 (Applause).

9 FACILITATOR KERN: And we'll embarrass you  
10 a lot by having you up here. So here is a certificate.

11 MS. CHEEVER: Thank you.

12 FACILITATOR KERN: Thank you, and --

13 MR. COOPER: Commemorating her with a ten-  
14 year plaque.

15 MS. CHEEVER: Oh, wow. This is very nice.

16 FACILITATOR KERN: So Julie has helped us  
17 over the years, keeps us really honest with our  
18 newsletter, and she's really been a voice for -- and when  
19 some of us, myself in particular, felt more radicalized  
20 and more passionate, she was always a voice of reason and  
21 control, and I think that contribution has served us very  
22 well over the years.

23 So thank you very much.

24 MS. CHEEVER: Thank you.

25 MR. COOPER: I'd like to echo those

1 remarks, and Julie has also been very welcoming and easy  
2 to talk to, and when a RAB member is easy to talk to, it's  
3 easy to provide information and not worry about having to  
4 bundle it up in a pretty bow all the time.

5 So I appreciate that sense of, you know,  
6 casualness and you always seem to have a question that is  
7 right out there in front of everyone that sometimes people  
8 will miss, you know, and it's oftentimes a pretty  
9 straightforward and common sense question that we've been  
10 kind of buzzing around, but you are able to kind of  
11 condense it into a single point, and I want to thank you  
12 again for the help with the newsletter.

13 We need to probably put out another edition.  
14 You know, we can do that any old -- any time. The editor  
15 of the Presidio Post is, you know, always interested in  
16 articles, and thank you very much.

17 MS. CHEEVER: Thank you.

18 MR. COOPER: Yeah. So that's it.

19 FACILITATOR KERN: Go ahead.

20 MS. CHEEVER: First of all, I'm in very  
21 distinguished company with Mark and Brian that have made  
22 very big contributions, and Jan and Doug who are now in  
23 their eleven-year mark.

24 I always thought of myself as kind of a  
25 generalist and not an expert, but it combines

1 environmental issues, issues of public assets to a  
2 wonderful park, and I've also learned about some new  
3 fields like geology, chemistry and I could possibly even  
4 add military psychology. It's been very rewarding.

5 (Applause).

6 FACILITATOR KERN: Thank you.

7 Our second honoree tonight is -- is with the  
8 National Park Service and has contributed a huge amount to  
9 the park. He's really -- if you want to know a detail  
10 about any site, if you want to know the history about any  
11 site, this is a person that has the big picture and the  
12 details all wrapped into one ball, and that's Brian  
13 Ullensvang.

14 (Applause).

15 MR. ULLENSVANG: Thank you. Thank you.

16 MR. COOPER: Congratulations.

17 So what I have to say about Brian is, you  
18 know, he and I used to work at the Environmental  
19 Protection Agency and I really didn't know him very well.  
20 We worked on different floors and different branches, but  
21 he was definitely a name to be reckoned with.

22 When I came into the Superfund project at  
23 Region 9 in 1989, his name was very well-known as one of  
24 the best remedial project managers that we had at the  
25 agency, and I remember as a trainee project manager, EPA,

1 that I went to one of his sites in LA and he gave -- gave  
2 us training, the tour, and I was very much in awe of his  
3 knowledge of the site and he just seemed to have  
4 everything at his command, and I was like wow, maybe one  
5 day I'll be a project manager like that.

6 So here I am several years ago, it's way  
7 past 1989 now, and I've gotten a chance to work with  
8 Brian; not only on a professional level, but a personal  
9 level, too, since we pretty much talk and meet every  
10 single day and for the last almost four years now that  
11 I've been at the trust, and it -- you know, every day, you  
12 know, he brings a perspective that I can learn from and  
13 something that I continue to aspire as to kind of keep up  
14 with his ability to understand the facts and figures  
15 behind the site.

16 I'm oftentimes saying, "Okay, Brian, I'll  
17 have to check into that" because I've forgotten what  
18 sample point LF-27 actually was for PCBs, but he  
19 definitely keeps me on my toes, but he does it in a way  
20 that is very professional and I continue -- I look forward  
21 to a continued good working relationship.

22 MR. ULLENSVANG: Thank you.

23 I just want to say this is a great group and  
24 it hardly seems like ten years. It's a hard working  
25 volunteer group here.



1 (Applause).

2 FACILITATOR KERN: Our final honoree  
3 tonight, Mark Youngkin, came in and one of the first  
4 things he did I think within the first year was do a  
5 research report in the archives that pretty much knocked  
6 the Army back on its heels.

7 Basically they thought well, we've done our  
8 research and Mark walked in and said, "You haven't really  
9 done your research. Check this stuff out," and I think  
10 that's really where he's contributed technical and sort of  
11 business savvy to this group in a way that was always  
12 common sense, what's the big picture, and then when it  
13 came down to the details, he certainly -- when Mark  
14 speaks, it carries a lot of weight.

15 So thank you, and come on up.

16 (Applause).

17 MR. COOPER: Congratulations.

18 So just a few things. What the plaque  
19 says -- if you're interested, it says: "Presidio San  
20 Francisco Restoration Advisory Board, Mark Youngkin, Ten  
21 Years of Dedicated Service 1995 to 2005," and all three  
22 plaques say the same thing with different names, of  
23 course.

24 MR. YOUNGKIN: Very nice.

25 MR. COOPER: Just a few things that I'd

1 like to say about Mark that kind of recognize this  
2 accomplishment.

3           You know, I have been on many other RABs  
4 when I worked at the -- at the EPA, and one thing that  
5 struck me, since he is your official community co-chair  
6 and I'm your official agency co-chair is that we haven't  
7 really gotten hung up on those titles whatsoever.

8           The other RABs that I worked on, those were  
9 very strict roles and the community co-chair made it  
10 clear, you know, what his roles were and there was  
11 sometimes a battle between the agency and community co-  
12 chair, who was going to run agendas and stuff like that,  
13 and it's been a real pleasure working with Mark.

14           It's been really easy to run the agendas and  
15 just -- you basically have set the tone for how you want  
16 RAB members -- how RAB meetings should go.

17           Of course all the RAB members, you know,  
18 have, you know, participated in that, and -- and as Doug  
19 said, you know, because of Mark's research on the Army, we  
20 have a whole universe of sites that the trust now needs to  
21 follow up on.

22           We're calling that the miscellaneous sites.  
23 We can call them -- we also call them the Youngkin sites.

24           As the trust is just starting to dive into  
25 those sites, we'll be giving you updates on those sites,

1 and I'm sure Mark's going to be interested in learning  
2 about some of the details of those sites and how they're  
3 turning out, but I just want to say thanks again. Thanks  
4 for welcoming me to the RAB as the agency co-chair and I  
5 look forward to working with you in the future.

6 MR. YOUNGKIN: I want to say it's been a  
7 real pleasure working with everybody here. It's been a  
8 real interesting group. A geologist sees a very narrow  
9 focus and this has been a broad education, a lot of  
10 different things.

11 It's been a little bit more interesting with  
12 the Army because it was so confrontational. It's  
13 definitely still interesting.

14 I hope that a few years from now we can wrap  
15 all this up and ten years from now we won't be giving Doug  
16 another plaque and myself.

17 Thanks all of you.

18 (Applause).

19 MR. DEIS: I'm sorry to leave. I have  
20 another commitment.

21 MS. CHEEVER: Thank you for coming.

22 MR. DEIS: I was telling Doug, I'd be happy  
23 to come in the future, so we'll find another time.

24 Thanks.

25 FACILITATOR KERN: Thank you.

1           We have three major items to talk about  
2 tonight. Perhaps a quick update on where we stand with  
3 our -- with fillsite 6 on the cleanup and restoration.

4           The landfill 10 discussion, carry that over  
5 from our committee meeting two weeks ago and three of us  
6 met with Jeff and Craig and Craig Middleton today and we  
7 can talk about how that meeting went and what came out of  
8 that meeting.

9           So looking forward to a productive meeting  
10 tonight.

11           So Craig, on fillsite 6, I heard a rumor  
12 today -- so I thought if I'm hearing rumors about this, I  
13 better check in with you -- that the cost is tripled or  
14 something on fillsite 6.

15           So any word on how the site is going and if  
16 you could touch on --

17           MR. COOPER:    The cost.

18           FACILITATOR KERN:    The cost.

19           MR. COOPER:    Did anyone bring the most  
20 recent quarterly financials?

21           MS. MONAGHAN:    I have it.

22           MR. COOPER:    We could take a look at that.  
23 That would be as of August -- we have to check to see what  
24 that is, but basically it's fillsite 6-a, what Jan's  
25 pulling up the cost information.

1           The waste removal is substantially complete.  
2   There's a -- a confirmation -- we're checking the  
3   confirmation samples now to make sure they're in  
4   compliance with the RAB.

5           There's one particular confirmation sample  
6   that the trust is going to have to do a little follow-up  
7   work on and we're taking responsibility for that.

8           I should have checked in with Bob at a  
9   certain point in time during the cleanup and we didn't do  
10   that. There was a little screw-up in the communications,  
11   but we're following up on that one confirmation sample  
12   just to make sure that we have a complete waste removal at  
13   spot two, and then -- and as you know, concurrent with  
14   that process, we have some kind of -- some tidying up  
15   completion stuff with respect to the confirmation  
16   sampling, but no more wholesale excavation work.

17           And then once we get clearance from -- from  
18   DTSC that all the confirmation samples are fine, there are  
19   portions of the site that we're going to be backfilling to  
20   bring them up to certain design grades, and my goal is to  
21   minimize the amount of backfill that we bring to the site.

22           This is over on the -- we're not going to  
23   backfill on the creek side. We'll be talking about that  
24   in a second.

25           The landscape side near Girard, there will

1 be backfilling there so we can bring it up to the grade so  
2 there's future land portion of the site. There's a future  
3 trail that will be put in. To backfill to help work that  
4 trail out and so on.

5 So that's going on, and then, you know, on  
6 the other side where the creek is, you can see lots of  
7 work going on there. Consultant -- our specialized creek  
8 consultant has been in there for a couple weeks now, and I  
9 think last time we showed some pictures of them, you know,  
10 they pretty much have now put in the meanders the way they  
11 would like.

12 They put in some logs at certain terms to  
13 stabilize the creek. They've actually brought in some  
14 boulders to help stabilize the creek, and the creek  
15 construction now is well underway, and we need to get the  
16 site buttoned up, you know, officially by October 15th,  
17 but hopefully, you know, by the end of October before any  
18 heavy rains start because we want to minimize the amount  
19 of -- of erosion, soil erosion that will go into the --  
20 into the stream itself once it's released back into the  
21 wild.

22 So I know that maybe you guys have been  
23 driving by and taking a look at it.

24 Any questions about -- anything look odd to  
25 you or -- mm-hmm.

1                   MR. BERMAN:   When do you expect the back-  
2 fill to actually occur on the Girard side?

3                   MR. COOPER:   Well, we need to take some  
4 samples. We hope to follow up on this one confirmation  
5 sample.

6                   MR. BERMAN:   You can't do the back --

7                   MR. COOPER:   I would say within, you know,  
8 two weeks -- in about two weeks from now. Maybe -- you  
9 know, and actually we're double-checking the confirmation  
10 samples, not where we plan on backfilling.

11                  MR. BERMAN:   Okay.

12                  MR. COOPER:   Maybe I could talk to Bob  
13 about bringing in some backfill over on Girard side as  
14 long as we can get access to that place that we're double-  
15 checking.

16                   So this month, we'll definitely be bringing  
17 in the backfill.

18                  MR. BERMAN:   All right. Thanks for  
19 clearing that up because I was confused that the  
20 confirmation samples might actually interfere with the  
21 backfill, but you said that they're really not in --  
22 they're not located in the same area, so that in fact  
23 that's not a problem.

24                  MR. COOPER:   Right. It's just kind of good  
25 practice in general just to kind of wait until you get the

1 final clearance on all your confirmation samples before  
2 you start backfilling, so I could work out those details  
3 with Bob.

4 FACILITATOR KERN: For Craig or Mark or  
5 Brian, there was -- at one point, there was a trench --

6 MR. COOPER: Mm-hmm.

7 FACILITATOR KERN: -- cut through and there  
8 was a spring that was leaking into the site, and I'm  
9 just -- as a general question, is the working of the  
10 creek, you know, kind of the construction of it, is it  
11 working out as planned? Have there been glitches? What  
12 are they?

13 MR. COOPER: Yeah.

14 FACILITATOR KERN: How stable is the creek  
15 looking towards going into the winter?

16 MR. COOPER: There was a pretty major  
17 spring that you noticed coming in from the corner where  
18 Lincoln and Girard come together.

19 That corner -- once we took all the waste  
20 off, we exposed a lot -- a very significant spring or  
21 seep -- basically is the same thing -- and what that  
22 really created was that whole kind of corner kind of going  
23 into the -- where the stream's going to come.

24 It was just saturated, muddy portion of the  
25 site, and our stream construction consultant said that



1 there -- if we didn't do something to try to dry up that  
2 corner, that they were really concerned that we were going  
3 to have a total blowout of the creek around that meander  
4 as it tried to, you know, go by that first -- first --  
5 once the creek starts, maybe the first hundred or 200 feet  
6 of the creek is where the seep was coming in and we were  
7 really concerned that once this winter came, when the  
8 stream water hit that really softened, you know, saturated  
9 bank, that it would just start eroding away.

10               So what we did is that we put in a little  
11 like basically a French drain system, if you've put some  
12 drainage around the foundation of your house is that you  
13 put down a trench and you put some gravel at the bottom of  
14 it, and so this -- the seep water that's basically shallow  
15 groundwater will go into that trench and then it -- we're  
16 basically detouring that water and then bringing it back  
17 into the stream, but further down -- downstream, about  
18 halfway or two-thirds of the way down the site is where  
19 the French drain brings that seep water into the stream.

20               So we've seen a good result from that. It's  
21 dried up -- a lot of that area is now dried up so that we  
22 can actually start to compact it and, you know, we've got  
23 more hope that that first meander of the stream won't blow  
24 out due to the seep.

25               The bank right up next to it is still pretty

1 wet on the -- is like here's where the stream is and the  
2 seep was coming in this way. We put in a little cutoff  
3 that kind of went that way, and the zone in between the  
4 cutoff and the -- and where the stream is is still pretty  
5 wet, but it's not as big as it used to be.

6 What -- it used to go up to almost the  
7 corner of Lincoln and Girard way up in that corner.

8 So we definitely have reinforced that first  
9 corner -- that first turn of the stream as best we could.  
10 I -- when it starts raining and water starts flowing down  
11 the stream, we -- there will be, you know, some erosion,  
12 you know.

13 We're going to try to minimize it. I'm sure  
14 this first year is going to be -- kind of you do the best  
15 you can and then you let the stream do, you know, what it  
16 needs to do, and we just didn't want it to get too out of  
17 control this first year because the willows are just going  
18 to start growing.

19 There's going to be -- as far as risk of  
20 major erosion, it's going to be this first year, you know.  
21 By the second and third year, the vegetation's really  
22 going to start taking hold and we're going to get a lot of  
23 help from the vegetation, but for this first year, we had  
24 to do what we could to minimize the vegetation.

25 So any other glitches? I can't think of any

1 at this point.

2 FACILITATOR KERN: I think Mark --

3 MR. FREY: I just wanted to add that that  
4 will be the area that we're going to plant first, so  
5 hopefully throughout the first half of the winter, that  
6 plants will be put in and that little area will start  
7 putting the roots out, so the second half of the winter,  
8 it will be providing a lot more stability.

9 I was there today and it looks a lot better.

10 MR. COOPER: Mm-hmm.

11 FACILITATOR KERN: Any other --

12 MS. MONAGHAN: Do you want the math?

13 FACILITATOR KERN: Pardon me?

14 MS. MONAGHAN: Do you want the math?

15 FACILITATOR KERN: The math.

16 MS. MONAGHAN: As of June 30th, the project  
17 was 47 percent complete. It cost \$2,187,000.

18 Completion's supposed to be 2,500,000, and it was  
19 projected to be a hundred thousand dollars over budget.

20 MR. COOPER: Okay.

21 FACILITATOR KERN: Any --

22 MR. COOPER: Let's see how that -- I  
23 haven't heard of anything super scary since that June  
24 update. There's been a couple change orders, so nothing.

25 FACILITATOR KERN: Nothing like two or

1 three times the cost?

2 MR. COOPER: No.

3 FACILITATOR KERN: Okay.

4 MR. COOPER: No, no, no, no, no. Yeah. So  
5 a couple hundred thousand over.

6 FACILITATOR KERN: Okay. Any other  
7 questions on fillsite 6?

8 Last -- two weeks ago, we were successful in  
9 building models for landfill 10, and the RAB members came  
10 together with the nicely prepared materials by the trust  
11 and their contractors to actually build models of  
12 different alternatives of landfill 10, and this was  
13 primarily to help us -- well, see the differences in the  
14 alternatives and to generate discussion around this site  
15 because of the cost, anywhere from four to six million  
16 depending on the alternative, and this is a -- primarily a  
17 capping alternative.

18 So we're going to be moving some material  
19 and we're going to be putting a cap and building a parking  
20 lot, protecting low bows creek, building in some new  
21 habitat, but it's really meant to -- for us so that we  
22 could really understand why is this an important -- why  
23 did it cost four to six million to just kind of scope this  
24 area and maybe what kind of questions -- other questions  
25 we might generate.

1           So we thought we would continue the  
2 discussion, bring the -- these models, spread them out  
3 here somewhere where everyone could get around them.

4           Maybe --

5           MR. COOPER:    I don't know.

6           FACILITATOR KERN:   -- on the front.

7           MS. MONAGHAN:   Up there.

8           FACILITATOR KERN:   And then we'll talk  
9 about the -- the differences between the models and the  
10 cost and see what kind of additional discussion gets  
11 generated.

12           But those of you that were there two weeks  
13 ago, I hope you can start the discussion and bring in the  
14 other RAB members on where we are.

15           Okay. So we'll sort of put these models  
16 out, and there's one that's the current situation.

17           MR. COOPER:    Right.

18           FACILITATOR KERN:   And then three of the  
19 alternatives. Let's see if anybody can see the  
20 differences.

21           MR. BERMAN:    Doug, I've got a question. In  
22 prior discussions --

23           FACILITATOR KERN:   Excuse me one sec. We  
24 have a question.

25           MR. BERMAN:    In prior discussions, I

1 thought there was going to be a request to the contractor  
2 that they would supply some computer modeling so we could  
3 get something besides the scale models here, but something  
4 that was done with a CAD program so that we could actually  
5 look at it in various perspectives.

6 So has any -- and that's not in the landfill  
7 10 report. There's nothing like that in there.

8 Was that considered to be too expensive and  
9 not worthwhile doing or is it still up for discussion?

10 FACILITATOR KERN: I would say it's up for  
11 discussion as a possibility. This was the most readily  
12 accomplished.

13 I don't know the particulars about the  
14 answer to that as far as cost or effort required, but I  
15 don't think it's off the table.

16 MR. COOPER: Yeah, you know, before I -- I  
17 went on a two-week vacation at the end of September, and  
18 both of these things -- you know, he was talking to EKA  
19 about, and I think they got focused on this.

20 So was it discussed -- was the three-day  
21 stuff discussed at the September RAB committee meeting?

22 FACILITATOR KERN: No. We had enough to  
23 do.

24 MR. COOPER: You were busy creating these  
25 things.

1                   Let me follow up on that. I'll send a  
2 follow-up e-mail to Doug and Mark and they can distribute  
3 it about that.

4                   I don't know if EKA -- they had some  
5 preliminary ideas, but it slipped off my radar screen.  
6 I'm sorry, Sam. I'll follow up.

7                   FACILITATOR KERN: So I encourage people to  
8 come around on this side and this side to see these -- the  
9 handiwork.

10                  This model on this far end is the existing  
11 conditions, and then the models to its left, my left are  
12 showing different -- primarily different slopes in these  
13 areas.

14                  MR. BERMAN: Yeah. Where the gradient is  
15 large for the seismic stability, but the great puzzle is  
16 when you need the appendix of the report and you look at  
17 it, you have absolutely no idea of why the cost is what it  
18 is, and, you know, that's why it would be really nice to  
19 see the steps -- those steps provided by the contractor  
20 because, you know, I think this is nice, but why is it  
21 that that's just that great, you know -- changing the  
22 gradient there is costing so much?

23                  It's all the stability that has to be  
24 provided in it, too, I guess, but --

25                  MR. ULLENSVANG: It's more than just zoning

1 that goes into it. They're putting the new cover on and  
2 getting it ready for the new cover. It just depends on  
3 the element.

4 MR. BERMAN: But the cover's the same for  
5 all the alternatives.

6 MR. ULLENSVANG: It's essentially the same.  
7 There's different reinforcement depending on the slope  
8 quality.

9 MR. COOPER: Just so everybody -- I don't  
10 know if everybody was hearing what Doug is saying. This  
11 is the base place right now, so you can see the really  
12 steep slope that's existing right now and these are the  
13 three preferred design options that the trust is  
14 recommending in the feasibility study.

15 So you can see how the slope obviously is  
16 cut back, not as steep in each one. There's various  
17 nuances about the different grades.

18 MR. ULLENSVANG: Yeah.

19 MR. COOPER: E, F and G.

20 MR. ULLENSVANG: They're for discussion in  
21 the report, and roughly this -- these two and its northern  
22 section are the same -- do I have that right?

23 MR. COOPER: Mm-hmm.

24 MR. ULLENSVANG: That one over there is cut  
25 back more shallow. These are a two to one slope, so for



1 every two feet it goes sideways, it goes up one, and that  
2 one for every two and a half feet it goes horizontal, goes  
3 up one. So it's a little bit more shallow in this area.

4 In the middle section, you'll see that this  
5 is a two -- two and a half to one slope. This one is a  
6 three to one slope at the bottom and two to one slope at  
7 the top. So it's a compound slope which gives it more  
8 variety.

9 One of the factors that many people feel  
10 contribute to the aesthetic is lack of uniformity of the  
11 slope. If it's broad all the way slope, it looks very  
12 artificial, whereas if you get some break up in the  
13 quality of the slope, you have a different aesthetic to  
14 it.

15 Also, the shallower slopes are expected to  
16 have different habitat qualities than the steeper slope,  
17 and different types of plants may live there.

18 This one is a constant two and a half, so  
19 these two are the same in the middle. And I believe all  
20 three of these are the same in Lobos Creek, which is a two  
21 to one and they're all pulling back ten feet from where it  
22 is today. There's less opportunities for variation in the  
23 south.

24 MR. HULTGREN: These are two and a half to  
25 one.

1 MR. ULLENSVANG: This is two and a half.

2 MR. HULTGREN: What was this over here?

3 MR. ULLENSVANG: This one is two and a half  
4 to three to one and this is two and a half to one, the  
5 whole thing, and that's a different combination of slopes  
6 that make different alternatives and there's one that had  
7 two to one the whole way and it had different features.

8 Amongst the whole mix of pros and cons,  
9 these three the trust and the park service felt  
10 were superior than the mix in the other ones, and at this  
11 point -- at least the park service doesn't feel that one  
12 of these is far superior to the other three.

13 MS. BLUM: Is not?

14 MR. ULLENSVANG: Is not far superior.  
15 There is more work to be done. That's one reason to get  
16 more input and what the pros and cons are amongst these  
17 three alternatives.

18 MR. BOGGS: Really with the five-year  
19 alternative review says the reason we have to do something  
20 with this landfill is the potential for earth -- failure  
21 and earthquakes.

22 MR. ULLENSVANG: And each of these will  
23 meet the same standards which the existing conditions do  
24 not, and there's some nuances to exactly that.

25 The report goes into great technical detail

1 about the calculations that went into it to show this was  
2 not suitable, didn't meet the standards, but these each  
3 are thought to meet the same standards.

4 MS. BLUM: When you have different  
5 components in these manmade slopes, do any of the  
6 ingredients have a positive or more of a negative  
7 influence on the habitat that will be planted? Because it  
8 seems like they're all about aesthetics at this point plus  
9 cost.

10 MR. ULLENSVANG: Yeah. There is some  
11 difference, and I didn't get to look in time to get him to  
12 come tonight and he can talk more about the  
13 subtleties of the habitat.

14 One thing we can stand back one level from  
15 the specialists because here you've got deep slopes and  
16 shallow slopes.

17 The shallow slopes are thought to be more  
18 similar to the natural slope out here where the habitat is  
19 and that might be more commensurate to allow the  
20 habitat -- Lessingia habitat to allow to expand out there  
21 where some of the steeper slopes may not be as suitable,  
22 and I'm not sure -- I don't want to put words in his  
23 mouth, but I'm not how certain that difference is.

24 MR. FREY: I heard a little bit about how  
25 the rain comes through here and the relationship between

1 slopes. A certain level of disturbance is appropriate. I  
2 feel I don't know if we can answer the question may be the  
3 short answer.

4 MS. BLUM: Are we dealing with the historic  
5 forests here in this remediation?

6 MR. ULLENSVANG: We are in the vegetation,  
7 we have the still management zone.

8 MS. BLUM: All right.

9 MR. ULLENSVANG: So there's that factor in  
10 here.

11 On the landfill with a cap, it's generally  
12 not appropriate to be having a tree situation, so -- and  
13 you can't do this sort of construction with trees. The  
14 trees on the landfill will be preserved.

15 MR. BERMAN: Jan, I thought your question  
16 was about the materials used in the stabilization and  
17 their effect on the habitat. That's what I thought you  
18 were saying.

19 MR. ULLENSVANG: I'm sorry. I missed that.

20 MS. BLUM: I'm sorry. It's all information  
21 now.

22 MR. ULLENSVANG: To different degrees and  
23 not yet -- more of a design determination than here, but  
24 there's -- the sand that will go under the scope here is  
25 not an inherently stable.

1 Sand slopes tend to flatten out over time,  
2 and there's a synthetic reinforcement that is placed in  
3 the sand for steeper slopes here and that gives the sand  
4 more capability to stay on the slope, and that does vary  
5 amongst them, and that's a very broad grid of product.

6 There's different brands of products, so  
7 they're configured differently, but it would be like a  
8 large mesh or a large chicken wire made out of plastic  
9 material.

10 MR. FREY: Very large.

11 MR. ULLENSVANG: Like maybe two inch holes,  
12 four inch holes, and the expectation is that that would  
13 not have significant influence upon that. Depending on  
14 how many layers you need, it would either be halfway --  
15 five feet of sand is the target conceptual depth right  
16 now. It would either be in the first third, the first  
17 half of two layers make five feet.

18 So it would be roughly two and a half -- 24  
19 to eighteen inches deep would be the shallowest layer of  
20 synthetic material, and -- which would be able to go  
21 through it and would be fully covered.

22 MS. BLUM: I think the sand is all shifting  
23 around.

24 Won't it shift off its plastic at some point  
25 and will be left with a plastic slope?

1 MR. ULLENSVANG: Because it's a grid, it's  
2 not going to have the slippery nature that others would  
3 have, and that's the concept with this material is if you  
4 were putting a plastic lawn bag down, the sand would slide  
5 right off, but because it has these big holes in it, the  
6 sand can interact through this plastic and hang on tighter  
7 than if it were just plastic, and that mesh that's inter-  
8 woven with the plastic -- was sand gives the sand some  
9 strength.

10 MS. YAROS: Does it assume that anything  
11 will grow through that mesh?

12 MR. ULLENSVANG: It's assumed that anything  
13 will grow through that, yes.

14 MS. YAROS: It won't be sand all the way  
15 down.

16 MR. ULLENSVANG: Yeah. There will be  
17 plants rooted into the sand. That's the idea. It  
18 provides a rooting medium, but even with roots, the --  
19 when you do the engineering, you don't count on roots  
20 necessarily helping you.

21 You assume it's virgin bear sand when you do  
22 the calculations, and so you give it some strength with  
23 this geo textile.

24 FACILITATOR KERN: If minimizing costs were  
25 the primary goal that there wasn't a habitat goal and

1   there wasn't a parking goal, is there any other kind of an  
2   alternative that could be done to that area to radically  
3   reduce the cost from the four to six million dollars to,  
4   say, 500,000, a million, somewhere in that range? Just  
5   some very radical thing that we're not examining here at  
6   all?

7                   MR. ULLENSVANG:   Something of that nature  
8   was not examined. Cost was one of the factors that was  
9   there. So the way the feasibility study had is set out so  
10   that you can mix and match the features amongst the  
11   alternatives.

12                   So if you liked one thing in the northern  
13   third and another concept in the southern third, the whole  
14   document's set up so that you could create a new  
15   alternative with the pieces that are in there. The cost  
16   estimates are all dividable.

17                   I don't recall if there was a concept that  
18   was developed that would be very low cost alternative.

19                   FACILITATOR KERN:   Right.

20                   MR. ULLENSVANG:   A lot of these things are  
21   constrained with having to cut off a significant amount of  
22   material and there's a large cost for that, and there  
23   wasn't a technology that was explored that would inject  
24   blue into it or something of that nature.

25                   For those of you who have been following it,

1 we talked about buttressing the piles. Well, it was  
2 determined as they did the analysis that the weakest point  
3 in the slope is actually the sand underneath the slope.

4 So that in an earthquake, that's where the  
5 failure would be.

6 So to strengthen it, you have to dig out all  
7 the strength in the sand and then you can put the material  
8 back on. So that becomes very expensive because you're  
9 moving so much material.

10 So it wasn't a concept that -- I think we  
11 first may have heard strengthening the hillside didn't  
12 appear to be adequate to prevent the seismic --

13 MR. COOPER: A simple buttress alone.

14 MR. ULLENSVANG: -- or just driving  
15 basically pins through the landfill wasn't adequate to  
16 deal with the subsurface strength or weakness problems.

17 MR. DIES: But it sounds like to minimize  
18 costs, you'd have to compromise something like Lobos  
19 Creek?

20 MR. ULLENSVANG: None of this has any  
21 impact on daylighting -- the creek is daylighted and the  
22 only thing that's moving about ten feet.

23 So that the toe of the landfill in all these  
24 is about the same place.

25 MR. COOPER: Where we can, you know -- if



1 we really wanted to focus on cost --

2 MR. DIES: Right.

3 MR. COOPER: -- it would be not daylighting  
4 the creek, but right now there's a certain risk -- even  
5 after the remedy, there's going to be a certain amount of  
6 risk to the creek.

7 Even after -- nothing's guaranteed a hundred  
8 percent, but we have a very high -- this remedy's  
9 protecting the creek a great deal, and so if we wanted to  
10 cut back on costs, that would mean maybe coming up with a  
11 remedy that might have a little bit more risk to the  
12 creek, and so that would be --

13 MR. DIES: From an earthquake?

14 MR. COOPER: During an earthquake event,  
15 right.

16 So again, we didn't -- we didn't look into  
17 those alternatives in the feasibility study. We  
18 basically -- once you kind of get into developing, you  
19 know, these ARARs compliance with state and federal laws,  
20 they pretty much start binding you to certain -- what you  
21 can do and what you can't do and what's an acceptable, you  
22 know, deformation to a landfill during an earthquake, and  
23 all these rules start kicking in that start kicking out  
24 some of the lower cost ideas.

25 Also, real fast. We should have said this

1 at the beginning. The trust -- the Presidio Trust  
2 feasibility study is recommending -- we're calling it  
3 alternative 2, and these are just three of our preferred  
4 design options for alternative 2, and when -- and so  
5 remember at our -- it was a committee meeting two months  
6 ago, I think we talked about the real question to the  
7 public is to choose amongst, you know, alternative 1, 2, 3  
8 or 4, you know, and the real -- you know, because  
9 alternative 2 is a permeable -- to reconfigure the  
10 landfill to a more seismically stable configuration and  
11 then cover it with -- basically what we call a permeable  
12 cover, sand only, and alternative 3 was to reconfigure the  
13 landfill to seismically stable configuration, then put  
14 down a basically synthetic layer of some type and then put  
15 the sand over the top of that, and that would reduce, you  
16 know, more rainfall and trace it into the landfill.

17 Now, we think -- the trust thinks that  
18 alternative 3's not necessary, that we don't need that  
19 synthetic layer in the middle of our landfill cap, that  
20 just these layers of soil and sand over the top of it will  
21 be sufficient, but that's something that, you know, we'll  
22 be asking the RAB and the greater public when this -- when  
23 this document goes out at the end of the Remedial Action  
24 Plan goes out to the public, we'll be asking for comments  
25 on that.

1 But if you have any ideas about the design  
2 options, you know, supplementary comments, we're open to  
3 those, as well.

4 MR. DIES: Let me recap. You're going to  
5 have a cap layer of sand, then large plastic mesh, then  
6 more sand with ground cover on it?

7 MR. ULLENSVANG: The bottom layer is sand.  
8 So you have waste. You would -- the top layer of the  
9 waste would be manipulated to remove large objects so that  
10 they wouldn't puncture the plastic layer.

11 Then on top of that foundation layer, which  
12 would not be imported or place sand. Material with rocks  
13 and trees.

14 MR. DIES: So you're laying down the cap.

15 MR. ULLENSVANG: Then you'd lay down the  
16 cap on the waste, which would be a layer of plastic, then  
17 chicken wire and then the sand.

18 MR. DIES: And shaken.

19 MR. ULLENSVANG: The geo tensile the --

20 MS. CHEEVER: How much waste will be  
21 removed?

22 MR. ULLENSVANG: They're slightly  
23 different. I don't have the document here. It's on the  
24 order of about 7 to 14,000 cubic yards will be removed,  
25 but much of it is moved on the site, and if you were to

1 look in the existing conditions, you can see how sharply  
2 the parking lot -- current parking lot slopes down to the  
3 neighborhood right now.

4 In these other configurations, the parking  
5 lot is flatter. So this area down in here has come up  
6 quite a bit from -- so that this -- this amount of waste  
7 here is removed from the slope and reconfigured under the  
8 land -- on the top of --

9 MR. COOPER: This area here.

10 MR. ULLENSVANG: -- to create some balance,  
11 and that is the way to reduce the cost.

12 MS. CHEEVER: Some waste.

13 MR. ULLENSVANG: Some waste is there.

14 MS. CHEEVER: Does that mean those would be  
15 removed if you saw a particularly large chunk of concrete?

16 MR. ULLENSVANG: Yes. And that would be  
17 both for the foundation layer, which will be beginning the  
18 constructed cap and in the moved material, big huge hunks  
19 of concrete and other materials that make it hard to  
20 manipulate will be removed.

21 MR. DIES: With someone who doesn't have  
22 ten years on the RAB, this is the largest waste area  
23 that --

24 MR. ULLENSVANG: Volume-wise, yes.

25 MR. HULTGREN: There will still be waste

1 that won't be uncovered; right?

2 MR. ULLENSVANG: All the waste.

3 MR. HULTGREN: Won't be discovered.

4 MR. ULLENSVANG: Won't be manipulated. A  
5 significant amount of the waste --

6 MR. HULTGREN: We're moving what we have to  
7 to get this done.

8 MR. ULLENSVANG: A significant amount of  
9 waste is not touched or at all under these three sub-  
10 alternatives.

11 MR. HULTGREN: Another thing. I assume  
12 that there will be a parking lot here. If not  
13 immediately, at sometime.

14 What kind of drainage will -- will be  
15 provided for that?

16 MR. COOPER: That will be, you know -- the  
17 plans we'll put together to drain the parking lot and you  
18 need drainage for the slopes of the landfill, also.

19 MR. HULTGREN: There will be a drainage  
20 plan?

21 MR. COOPER: That's more of a design issue.  
22 Those details have to be worked out, but you have to think  
23 about drainage for not only the parking lot, but for the  
24 side fills, as well.

25 MS. YAROS: If you can review for myself,

1 these are closely -- well, to my eye, actually, I'm having  
2 a hard time seeing it, to tell you the truth.

3 The first question is if they were -- if we  
4 can see all three of these designs completed, would they  
5 look similar -- at first completed as they do to me in  
6 these models?

7 MR. ULLENSVANG: They might. The things  
8 that you can't tell with the models the very small models  
9 and very big feature. Some of the things that are subtle  
10 in the models may be more pronounced full scale, and there  
11 may be some differences in the types of plants that grow.  
12 You might see some texture changes that the habitats vary  
13 between these different slope configurations.

14 So those are things that don't come out in  
15 the model.

16 MS. YAROS: Okay. But then would you say  
17 that all three of them would be roughly equally the same  
18 aesthetically to your eye or anybody?

19 MR. ULLENSVANG: When I look at them, I  
20 think there may be aesthetic differences in the final  
21 products amongst these three, and it may be that somebody  
22 might just know they're different, but not know why, that  
23 kind of subtle nature.

24 You might look at -- if you could just blink  
25 and it would be change alternatives like a slide show, you

1 might say those are different, but I don't understand why.

2 MR. BOGGS: This was one of the things --

3 MS. YAROS: But equally pleasing to the  
4 eye.

5 MR. ULLENSVANG: Aesthetics is such an  
6 objective thing. Different people might prefer different  
7 alternatives.

8 MS. YAROS: Of course beauty is in the eye,  
9 but in general on a practical level, they will be equally  
10 aesthetically pleasing to --

11 MR. ULLENSVANG: Right.

12 MS. YAROS: -- different people in general?

13 MR. ULLENSVANG: Yeah, and I think that if  
14 I look at these, I'd say that I think one of them might  
15 be -- might be more aesthetic to more people than the  
16 others, but I think that that's very subjective and I  
17 wouldn't even say which one it was at this point.

18 MS. YAROS: Right.

19 MR. ULLENSVANG: And you -- you may prefer  
20 one to the other two and maybe different than what I  
21 prefer.

22 MS. YAROS: I have no preference and that's  
23 unusual to me, but I -- really. I am having a hard time  
24 with this.

25 So the next part, are they roughly the same

1 amount of money to --

2 MR. ULLENSVANG: They're roughly about the  
3 same. They're about the same amount of money.

4 MS. YAROS: So they're roughly the same  
5 aesthetically and it's roughly the same money-wise, so can  
6 you tell us -- would somebody tell us what -- what some  
7 significant differences there are here? Because if there  
8 aren't, I don't even understand why --

9 MR. ULLENSVANG: The differences -- these  
10 are -- they're G subalternatives, so there are -- amongst  
11 all those different subalternatives, there are some very  
12 significant differences.

13 These three stood out amongst the group, but  
14 not each other. So as I said at the beginning, these all  
15 have pros and cons that make them similar in the overall  
16 quality of the three.

17 You know, for example, subalternative 2B is  
18 very different than these three and has attributes that  
19 make it far inferior to these three.

20 MS. YAROS: But that one's not here.

21 MR. ULLENSVANG: These have already floated  
22 to the top and the trust for review.

23 MS. YAROS: These three are preferred.

24 MR. ULLENSVANG: Yes.

25 MR. HULTGREN: This one shows quite a



1 difference to the other two because it -- the difference  
2 in slope, but what I'm not clear about is what are the  
3 differences between this one and that one?

4 MR. BERMAN: The one on the far end has the  
5 uniform slope all the way down. This has a varied slope.

6 MR. ULLENSVANG: This one varies from here  
7 to here.

8 MR. HULTGREN: Oh, does it?

9 MR. ULLENSVANG: Two to one, two and a half  
10 to one. This is two and a half to one the entire way.

11 MR. HULTGREN: Very subtle.

12 MS. YAROS: These are very subtle.

13 MR. COOPER: Your comment might end up  
14 saying the differences between these three design options  
15 are not a big deal for me.

16 MS. YAROS: Generally, would you say?

17 MR. COOPER: You as an individual might be  
18 more interested whether we have a permeable cover or  
19 whether we put a plastic layer in the middle of the cover  
20 or whether you might say -- I don't know -- I want clean  
21 closure or something else.

22 FACILITATOR KERN: I want to say if there  
23 wasn't a parking lot or if there wasn't habitat or a  
24 combination of both, for the people that worked on this,  
25 is there something else that wouldn't cost five million

1 dollars and still get us stabilization?

2 I mean, is there something binding this  
3 in -- it's like I keep looking at it and this is all we  
4 have, and I know there are the other alternatives, but I  
5 don't think among those there was a one million dollars.

6 MR. ULLENSVANG: I don't think there was.  
7 I think it's a very good question to try to explore is  
8 there a cheap alternative that may lose some quality, but  
9 what is it that that quality -- is that quality worth the  
10 extra four million dollars? That's just numbers.

11 FACILITATOR KERN: What Bob said is the  
12 primary reason to do it is to protect Lobos Creek and to  
13 protect from, you know, seismic event.

14 Is there something we can do that will be  
15 just a pure seismic solution for that but totally  
16 sacrifices habitat or totally sacrifices parking or both?  
17 At least we kind of then decide what we're --

18 MR. ULLENSVANG: In the determine -- early  
19 the document talks about developing alternatives. There  
20 was work done at the extremes.

21 What if you wanted to maximize the parking?  
22 What if you wanted to maximize the habitat? And so those  
23 concepts were explored and what the ramifications of those  
24 were, and my recollection -- this is where it would be  
25 important to go back and look at the documents.



1           That was quite a while ago when we were  
2   doing at. Those extremes were extreme in other features,  
3   too. So they didn't make the cost very low.

4           In order to maximize the habitat, it was  
5   nearly completely moot because you start to move the slope  
6   back to a more natural slope, and to maximize the parking,  
7   you had some strength issues to deal with as you steepen  
8   the slope in order to create as much flat area as  
9   possible.

10           MS. BLUM:   What if you moved the parking  
11   out of the area, moved it someplace else?

12           MR. ULLENSVANG:   And then you create a flat  
13   spot on the parking on the top of the hillside and you can  
14   look at the alternatives.

15           I believe there's a three to one slope  
16   alternative in there, so you can start looking at that and  
17   it's a range that's already been explored, and you can  
18   also pull out the elements of this project that arguably  
19   may be more parking lot related and determine how  
20   significant a contributor that is.

21           MS. BLUM:   Is it absolutely set in stone at  
22   this point a parking lot? Is that elemental to --

23           MR. COOPER:   I couldn't find anything in  
24   the feasibility where the parking lot was making the cost  
25   go up, you know.

1 MR. DIES: I'm sure that you said taking  
2 the dirt out and putting it back, that sounds like two to  
3 three million.

4 MR. COOPER: That's the expensive part.

5 MR. DIES: That sounds like your world.

6 MR. COOPER: It's not the parking lot.

7 MR. ULLENSVANG: Changing the parking lot  
8 and the ball field will not significantly change costs.

9 MR. BERMAN: I'd like to go through Doug's  
10 question. I have three or four questions in a row about  
11 something really cheap.

12 First of all, how deep is the sand layer  
13 that's underneath the sloping hillside and has that been  
14 established?

15 MR. ULLENSVANG: The native sand?

16 MR. BERMAN: Berm that's a primary cause of  
17 the seismic instability, the sand down on the bottom.

18 FACILITATOR KERN: It's probably at least  
19 twenty feet.

20 MR. ULLENSVANG: There's a cross-section in  
21 the report that goes through that berm that actually  
22 determines how deep that is.

23 MR. ULLENSVANG: It may not be the entire  
24 area, but at least in the area where the weakness is.

25 MR. BERMAN: So you could imagine a -- a

1 remedy which just goes down to the bottom of that with  
2 your support?

3 MR. ULLENSVANG: Yes.

4 MR. BERMAN: So you get below that sand  
5 with pillars and you don't remove any sand or anything, so  
6 the cost is just in putting in a certain number of -- of  
7 columns down below the sand level so it gets into the  
8 rock, and, you know, that doesn't have any removal  
9 associated with it, potentially, other than just digging  
10 the hole, and the question is: Is that kind of thing just  
11 so prohibitive?

12 Because normally putting down -- digging a  
13 big hole and putting concrete -- reinforced concrete is  
14 not expensive, even twenty feet when you're talking about  
15 giving somebody a million dollars to dig forty holes and  
16 pour concrete in it, and removing no dirt whatsoever. You  
17 know --

18 MR. ULLENSVANG: The technology that was  
19 considered for that type of in-pile technology and the  
20 engineers that were aware of that technology felt you  
21 needed to remove some waste in order to get to an area  
22 where you could insert these piles, and it was a fairly  
23 high null.

24 They went through the math. There was a  
25 computer program they used to determine how much would be

1 removed from the soil. That is discussed in all of these  
2 reports.

3 MR. BERMAN: But it didn't say that it  
4 actually went below the sand level.

5 MR. ULLENSVANG: I believe it strengthened  
6 the sand as opposed to resting on the material below. It  
7 doesn't have to fully penetrate. It just has to go  
8 through the weak area.

9 There is a cost element and I believe that's  
10 the C alternative, and you can pull out the costs from the  
11 cost estimate just from the installation and see what that  
12 is, and, you know, we can explore that at the committee  
13 meeting in two weeks. We can go in and work through the  
14 cost estimates.

15 MR. COOPER: I think that would be a good  
16 thing to do; not just for the three recommended ones, but  
17 some of them that have already been strained out and look  
18 at the significant line items.

19 FACILITATOR KERN: I think that what -- a  
20 lot of the questions are coming around, and there's been  
21 some focus down on these for a variety of reasons, but  
22 then for our process, it's kind of like well, what are we  
23 getting for the extra amount and it just seems like such a  
24 lot to just -- we're not comparing it against anything.

25 MR. ULLENSVANG: I think it would be a

1 valid exercise to work together to dissect cost estimates.

2 MR. BERMAN: I looked at that -- that  
3 section and you can't -- it would be nice if you would  
4 take us through that because the information there is per  
5 unit, and I -- you know, it's hard to establish how many  
6 of those pin piles.

7 MR. ULLENSVANG: That's right. You have to  
8 have the computer there to really know the numbers, and  
9 there are ways to -- I'm pretty sure that there are ways  
10 to extract how many units you need for the alternative,  
11 and so we can work -- I can't do it without the report.

12 MR. BOGGS: There are actually a number of  
13 variations that go into those pin pile calculations.  
14 There's different ways of putting pin piles in. You have  
15 a column that you're pounding in or whether you're  
16 drilling a hole with reinforced concrete, and if you're  
17 drilling a hole, is it this big around or this big around  
18 and how much closer together.

19 So there's different ways of doing that to  
20 get your stability and there's also measured costs.  
21 There's a lot of little factors that go into it.

22 MR. BERMAN: Right, but let's say that  
23 you're told stabilize it at the cheapest cost, so that's  
24 the parameters you put into your computer program.

25 You tell your seismic engineer, you know,



1 tell me how much pin piles and what depth so I get the  
2 required stability at the minimum cost, and it would be  
3 nice to be able to see what that number is because it's  
4 startling -- it doesn't look like it would be more than  
5 thirty or forty pin piles.

6 MR. ULLENSVANG: We'll have to go through  
7 and explore that. I don't recall the numbers off the top  
8 of my head.

9 MS. MONAGHAN: Do you want to tell me  
10 what -- the lifecycle or life expectancy?

11 MR. COOPER: If we're able to go with the  
12 permeable cover, that means there's no synthetic layer  
13 that we have to worry about deteriorating or anything like  
14 that, there will be maintenance of making sure that the  
15 sand -- that the thickness -- DTSC will set up some kind  
16 of minimum thickness that we have to keep, so if people  
17 walk on it or animals walk on the top surface that there's  
18 a minimum separation of this cap.

19 So unless some 9.0 earthquake knocks it  
20 down, it should last in perpetuity, in my opinion.  
21 It's -- it's stabilized, you know, waste with basically  
22 layers of soil over the top with plants over the top. It  
23 should last forever.

24 There will be some maintenance, like I said,  
25 if the sand blows and we might have to put some sand in to

1 patch up some holes, but the vegetation --

2 MR. ULLENSVANG: Any of the alternatives  
3 have some degree of maintenance because you're not --  
4 you're leaving waste in place. So there's some ongoing  
5 responsibility to watch it, to tend to it.

6 MR. COOPER: Right.

7 MR. ULLENSVANG: And that varies slightly,  
8 mostly between alternative 3 and alternative 2 as opposed  
9 to these three because there may be some subtle  
10 differences, but at this point no one's able to predict  
11 what that is.

12 MS. MONAGHAN: What is the monitoring  
13 responsibility in setting these up? Is it forever?

14 MR. COOPER: The long-term groundwater?  
15 Not necessarily. I think there's certain requirements of  
16 the law, and then from there, we could talk to DTSC.

17 It kind of depends on -- we'll make an  
18 argument about what the past impacts have been and there  
19 will be some concern.

20 After we reconfigure it, they would want to  
21 monitor more frequently for a while, but if those turn out  
22 that disturbing the landfill didn't cause a whole bunch of  
23 contaminants to come into groundwater and hopefully  
24 discontinue it after a certain period of time.

25 MR. ULLENSVANG: There would be some

1 groundwater monitoring in perpetuity. There would be a  
2 five-year review in perpetuity. There would some  
3 maintenance that would be go on in perpetuity.

4 It's -- with the assumption of cost thirty  
5 years present value is small.

6 MS. BLUM: What are the primary reasons we  
7 need to do earthquake stabilization here and not other  
8 sites?

9 MR. ULLENSVANG: We are doing it at other  
10 sites. Other sites have been stable.

11 MS. BLUM: Have been stable?

12 MR. ULLENSVANG: We made the calculation.  
13 Or when you remove the site, you don't have these issues.  
14 Landfill stability study, there's seismic stability in  
15 that and there would be work done in those configurations  
16 to ensure that those slopes are stable.

17 MS. BLUM: Not 1 and 2?

18 MR. ULLENSVANG: 1 and 2 --

19 MS. BLUM: We haven't gotten there yet.

20 MR. ULLENSVANG: Those are slated for  
21 removal.

22 MR. DIES: So the problem is --

23 MR. COOPER: The cap, you worry about.

24 MR. DIES: This is the largest cap site in  
25 the Presidio.

1 MR. ULLENSVANG: Correct.

2 MR. DIES: They're in a whole new ballgame.

3 MS. BLUM: Will be for a short period of  
4 time.

5 MR. BOGGS: It already is.

6 MS. BLUM: It will be bigger than E?

7 MR. BOGGS: It's already actually under the  
8 agreement, the record of decision that the remedy that is  
9 there; i.e., the parking lot, the way it exists is  
10 adequate, but it wasn't until this five-year review they  
11 said well, in an earthquake, it's not sufficient.

12 MS. BLUM: For what? Safe for what? I  
13 guess is my real question.

14 MR. BOGGS: There will be some localized  
15 flooding in what is the maximum credibility earthquake.  
16 So the maximum credibility earthquake, engineering  
17 analysis said that that landfill could slump some and fall  
18 into Lobos Creek.

19 The part could slump down into possibly  
20 Lobos Creek, so we're basically protecting the drinking  
21 water supply.

22 MR. ULLENSVANG: Size-wise, the value of  
23 this landfill is estimated to be thirty or forty percent  
24 larger than 1 or 2.

25 MS. BLUM: When they did these models,

1 because they have the dead forest on here, the dying  
2 forest over here, have they taken into consideration that  
3 they're doing an in-study?

4 MR. ULLENSVANG: We haven't done a study  
5 for that.

6 MS. BLUM: Wouldn't that the high-risk  
7 coming off the trees? Wouldn't they get a problem with  
8 the slope?

9 MR. COOPER: I would assume so, yeah, and  
10 that's why we need vegetation, and also, as Brian said,  
11 the trees that are in existence at the landfill right now,  
12 and those alternatives would be removed.

13 MS. BLUM: Wouldn't you get all these going  
14 down 15th Avenue here?

15 MR. ULLENSVANG: In the area, those would  
16 have to be removed.

17 MS. BLUM: And they would need to be  
18 removed.

19 MR. ULLENSVANG: Some through that, and  
20 that's one of the design questions of whether those will  
21 be allowed to come back on to the landfill.

22 If there was alternative 3 with the liner  
23 system, that would probably be prohibitive.

24 MS. BLUM: Is the wind not a concern as  
25 planned?

1 MR. ULLENSVANG: That level of detail  
2 hasn't been looked at.

3 MS. BLUM: When will it be looked at?

4 MR. ULLENSVANG: I'm not sure.

5 MR. BOGGS: Probably a design  
6 consideration. When we're talking about the subtle  
7 differences between these three subalternatives, that's  
8 actually going on typically what's in the feasibility  
9 study.

10 Usually they take the differences between a  
11 permeable cap or the number 3 alternatives, which are  
12 non-permeable cap and removing it all or no action, and so  
13 you're getting here to look at a lot of the design details  
14 that technically the way that the federal guidelines goes  
15 in preparing a feasibility study, the difference between  
16 these three alternatives doesn't really get evaluated  
17 adequate with the 89 criteria that are set out in the  
18 federal guidance.

19 So in some ways, we're getting a lot more to  
20 look at here than we would typically look at. It's not  
21 until we actually decide whether we have a permeable cap  
22 or a low permeability cap that then we do the design  
23 document and start looking at these sub-details.

24 I'm sure with wind and wind erosion, that's  
25 going to be a design consideration that then we're going

1 to have to figure out what plants we're going to plant  
2 where to hold the sand in place.

3 MS. BLUM: I'm thinking specifically the  
4 special management zone.

5 Hey, Mark?

6 MR. FREY: Yes.

7 MS. BLUM: The Lessingia recovery is  
8 dependent on a lot of tree removal, yes?

9 MR. FREY: A lot of tree removal is in the  
10 recovery plan.

11 MS. BLUM: So the special management zone  
12 is tied up with this whole area, so that's why I'm asking  
13 these questions. It's not --

14 MR. ULLENSVANG: The -- I think there's  
15 some simpler decisions that can be made. You can look at  
16 what to do with planting trees separate from what happens  
17 here. This decision's being made without knowing what's  
18 going to happen here, and --

19 MR. DIES: If you take out those trees, you  
20 expose the wind for what's being stabilized.

21 MR. FREY: I believe so.

22 MR. ULLENSVANG: What you might have to do  
23 adversely in a windy situation, you might have some higher  
24 maintenance making sure that there's the minimum depth of  
25 sand right here.

1 FACILITATOR KERN: I guess --

2 MS. BLUM: That's part of the cost, though,  
3 to me. I know I'm like a dog on a bone here, but that to  
4 me is a certain cost of the site.

5 If it doesn't work for a special management  
6 zone or does, that will affect the cost radically.

7 MR. ULLENSVANG: I think that's a valid  
8 comment. Right now, we haven't looked at it. The answer  
9 is that's a good question.

10 MR. BERMAN: Are all the parking lot slopes  
11 the same in the three alternatives?

12 MR. ULLENSVANG: They're similar. There is  
13 some difference in this area here because the deeper  
14 slope. A lot of them are more flatter.

15 MR. BERMAN: So the actual parking lot area  
16 is the same?

17 MR. ULLENSVANG: It's similar, and there's  
18 a table in there that goes through them exactly.

19 MR. DIES: They're marked the same.

20 MR. BERMAN: Yeah.

21 MR. ULLENSVANG: But you can see here this  
22 one is a little bit closer to the edge of the existing  
23 parking lot.

24 FACILITATOR KERN: I guess one other  
25 concern, which is -- it keeps sort of boggling my mind is



1 we keep introducing the idea of alternative 2 versus 3,  
2 permeable versus non-permeable, but at the same time we're  
3 saying -- we're doing this for seismic issues.

4 We're not really doing it to keep the waste away  
5 from Lobos Creek, because that's kind of been determined  
6 not to be an issue.

7 So I'm not sure that -- are we really  
8 deciding that there is -- is anybody concerned? Does  
9 anybody have any concerns that we need to protect Lobos  
10 Creek from this waste?

11 Because then we really ought to have the  
12 impermeable cover, but I don't hear anybody saying we've  
13 got to have an impermeable cover.

14 Does either of your agencies have a feeling  
15 right now at all?

16 MR. BOGGS: The way the data looks, there's  
17 not significant groundwater contamination in the wells.  
18 It doesn't look like rain water infiltration into the  
19 landfill and into the groundwater is going to cause  
20 significant problem.

21 If that were the case or we had any reason  
22 to suspect there would liquid waste in there, then yes, it  
23 would require a low permeability cover, but right now we  
24 don't have a basis to say you need one because there's not  
25 bad groundwater impacts.

1 FACILITATOR KERN: All right. So I'm kind  
2 of back to where I was. I'm looking for a low cost way to  
3 protect the seismic --

4 MR. BERMAN: Right. And that's why --

5 FACILITATOR KERN: And just see that.

6 MR. BERMAN: That filler might even be  
7 feasible without removing the willows.

8 MR. BOGGS: Well, one thing I can do, it's  
9 actually -- I thought at the end of last week our seismic  
10 person up in Sacramento, his analysis was either going to  
11 be done late last week or early this week.

12 So I'm going to put those questions forward  
13 to him, as well, see if he has some ideas of things that  
14 should be considered, you know, that get us down below the  
15 five million and does adequately protect Lobos Creek and  
16 the environment.

17 MR. BERMAN: Lobos Creek for this maximal  
18 credible.

19 MR. BOGGS: Right.

20 MR. BERMAN: If it wasn't for that, the  
21 creek would be okay. The old document before the five-  
22 year review, everything was okay until that particular  
23 calculation came in.

24 MR. ULLENSVANG: There were several  
25 significant flaws in the previous decision document.

1 MR. BOGGS: Yeah.

2 MR. ULLENSVANG: There was no cleanup level  
3 selection. There was no analysis of slope stability at  
4 all, and so I -- and there are contaminants here that were  
5 found during the five-year review that weren't -- weren't  
6 found by the Army.

7 MR. BERMAN: Yes.

8 FACILITATOR KERN: I should say before we  
9 continue our next agenda item that Craig has graciously  
10 provided us a special treat for our honorees tonight.

11 MR. COOPER: Sugar fix time.

12 FACILITATOR KERN: Maybe we should take a  
13 little break and we'll come back to this next agenda item.

14 (Recess taken).

15 FACILITATOR KERN: So we will continue.  
16 We'll continue with our landfill 10 discussion at the next  
17 committee meeting. We'll try to really get into some cost  
18 analysis.

19 Today three of us -- Mark and Jan and  
20 myself -- met with Craig Middleton, Jeff Deis and Craig  
21 Cooper around the cost tracking, and for those of you just  
22 as kind of a recap on this, some two years ago that we  
23 began asking for more detailed cost tracking on the  
24 remediation program and spent any number of months  
25 developing a letter that we sent to Craig specifying what

1 we'd like to see in those reports and then offering  
2 assistance in trying to help with locating a person that  
3 he could bring on to help him with that accounting, and  
4 that was all around two years ago.

5 So we have been in receipt of these reports  
6 recently. We've written a comment letter and we've gone  
7 on to meet with Craig Middleton today, and so between Jan  
8 and Mark and myself, we hope -- and Craig, of course, to  
9 relate what happened at that meeting.

10 So our agenda was effectively to bring the  
11 message that it looks -- it appears that there would be  
12 budget shortfalls and that it was our desire to not  
13 retreat on remedies, to have complete remedies, but since  
14 we have thirty percent of the budget, we still have some  
15 time to make corrections as far as costs and still be able  
16 to do the entire program.

17 And I -- I guess I would say right at the  
18 start that Craig Middleton and Jeff Deis were both very  
19 see receptive to us, as Craig has been through this  
20 process.

21 They've been very receptive, and just to  
22 characterize the meeting generally, I felt that we were  
23 all around the table working on the same problem,  
24 everything was getting put out on the table as -- here's  
25 an issue and how are we going to solve it as a team.

1           So I felt that was a great start, and the  
2 opening conversation of hopefully many.

3           It seems that the -- the word has reached  
4 the highest levels, then, within the trust that there is  
5 some budget shortfall.

6           I don't know that anybody yet is ultra  
7 confident about what the number is, and that's one area  
8 that we also recommended that Craig Cooper receive  
9 additional support from accounting group, and Craig  
10 Middleton has mentioned to me today during the meeting  
11 that the CFO would be providing that kind of support for  
12 Craig.

13           So he's going to be getting -- I don't know  
14 if it's carte blanche accounting support, but it's my  
15 impression that he will now have access to people to be  
16 able to do more detailed analyses for the costs.

17           And Mark and Jan, feel free to jump in, and  
18 Craig, if you'd like as I'm going.

19           So there was -- I think I can jump towards  
20 the end to try to make -- instead of covering the whole  
21 meeting, but there was an idea that got out on the table  
22 that perhaps what needed to happen was -- because we're  
23 kind of zeroing in on the remedies, there's general  
24 agreement about the entire set, that some of the details  
25 need to work out, perhaps a site here or there needing to

1 be worked out, and if we can generally agree on the  
2 remedies and if we raise the priority of -- of cost and  
3 tracking the cost and looking at how much we're spending  
4 on different parts of the program to a top priority, then  
5 the whole team, whether the regulatory community, the --  
6 you know, the RAB community, just the outside public, the  
7 trust, the park service and get people around the table  
8 looking at solving the problem together, how can we meet  
9 all of our -- the objectives of the different stakeholders  
10 working as a team and reduce the cost across the whole  
11 program so we have enough money to do the whole program.

12           And I think there was agreement around the  
13 table, that that seemed like a reasonable thing to do.

14           In order to prepare for that, that kind of a  
15 meeting where all the interests would be represented, the  
16 trust needs to do detailed homework as far as analyzing  
17 the cost of sites that have already been completed.

18           So that's a task that Craig is going to  
19 embark upon, is getting the accounting help he needs and  
20 then doing the detailed analysis, and I offered from the  
21 RAB perspective that we would form a subgroup of  
22 interested and capable members that would feel -- that  
23 would be prepared to ask very detailed and insightful  
24 questions about whatever information he might generate to  
25 really shake it out, to really see if there were ways --

1 other questions that he would need to ask of his data, and  
2 so I've kind of volunteered some of us in advance to help  
3 with that project.

4 So I guess in general, what I'm seeing out  
5 there in the future is a meeting with all the stakeholders  
6 and looking at, say, remedies, costs and the success of  
7 the whole program and how we can achieve that working  
8 together, where are some of the costs going up that they  
9 could be brought down.

10 One of the classic examples that we talked  
11 about in today's meeting would be redrafting of documents.  
12 Every time it goes back for redraft, it costs us a lot of  
13 money.

14 So if we can be around the table, maybe we  
15 can send that off to the contractor here's what we want.  
16 Please deliver this the first time we ask for the  
17 document.

18 That would be a possibility, and if the  
19 regulators and the community and the park service and the  
20 trust are all around the table saying, "This is what we  
21 want," maybe that would be a way to reduce some of that  
22 cost in terms of documents.

23 There would be other possible ways with  
24 planning efforts that we visualize, but first there just  
25 needs to be this analysis of how much things have cost so

1 far.

2           Some I'm kind of blabbering on. That was --  
3 that's kind of where we left it, that there would be a  
4 meeting out there sometime of all the stakeholders, that  
5 this analysis would be done in advance and there would be  
6 some effort to try to bring everybody together working as  
7 a team to solve the problem, to get all the remedies done  
8 within the budget. Sounds good.

9           Sam, please.

10           MR. BERMAN: Is this the right moment to  
11 ask some questions?

12           FACILITATOR KERN: Yeah. Hopefully.

13           MR. BERMAN: One of the things that's  
14 bugged me about the cost from the very beginning is the  
15 decision which says the staff costs for the -- for the  
16 trust staff has to be charged to the hundred million, and,  
17 you know, if you look at the projected costs -- if you  
18 look at the projected trust staff costs out to completion,  
19 it's sort of the overrun.

20           It's roughly of that magnitude if you look  
21 at the numbers that we saw generated and discussed a  
22 little bit. Often the internal costs are not presented in  
23 some of the earlier documents.

24           So one of the ways of -- of -- I mean, it's  
25 sort of very strange from the outset that the rest of the



1 Presidio staff is sort of -- is paid out of the general  
2 funds, et cetera and the rents and other things like that,  
3 but the remediation has to come out of the Army money.

4 So, anyway, that's a decision that was made,  
5 but it's not a law of nature and that could be changed,  
6 and that's one way that you could come in under the  
7 hundred million, and the reason that this is not so stupid  
8 is that Zurich, who's the insurer, does not consider  
9 in-house costs as chargeable.

10 So it's not as if one is inventing a concept  
11 which is out of the blue.

12 So, you know, I don't know if this was  
13 discussed at the meeting, but I think this is an agenda  
14 item that should be discussed at this future meeting that  
15 you're talking about.

16 I think it's a very serious item and it's  
17 one where the largest chunk of money could come from in  
18 order to get the project done, you know.

19 I'm sure that there's going to be a lot of  
20 opposition to this, but I -- I feel as a public body we  
21 should insist that this is an agenda item in any meeting  
22 that's discussing the possible shortfall.

23 MR. COOPER: I completely agree. I  
24 completely agree. I've raised this issue a couple times  
25 with management. I have actually -- it will be in my

1 recommendation to management about this.

2 I think I've raised this to management a  
3 couple years ago, you know, and where we're struggling is  
4 for every remediation staffer that we put over on to  
5 the -- what we call the general funds where all the other  
6 trust labor is paid out of, that's one less person that we  
7 can pay for in the planning department or the accounting  
8 department or operations and so on.

9 So that's the pushback that I've got, you  
10 know, so far, and they said, you know, at least two years  
11 ago, you know, before I knew, you know, of my shortfall,  
12 they said it doesn't appear that you have a financial  
13 problem, so why are you trying to jam these other  
14 departments' budgets, and so now at least I'm redoing the  
15 memo again and saying: "Okay. Now here's my rationale.  
16 I've got a serious problem on my hands now and I think  
17 that it's time for the other departments to understand  
18 that and we need to work together as an agency to help  
19 solve this problem."

20 So I did -- originally two years ago, I  
21 recommended that we were going to transfer one person over  
22 each year, but that was starting in fiscal year 2002 or 3,  
23 so -- 2003, but now I'm redoing the memo that I want to  
24 transfer three people over starting in F-2006, you know.

25 There's -- I think there's eight or nine

1 staffers getting paid out of the Army funds right now, and  
2 I would like to move, you know -- my recommendation to  
3 management is going to be that we move three over each  
4 fiscal year.

5 So starting in fiscal year --

6 MR. BERMAN: So if you do that, how much of  
7 this projected shortfall do you recover?

8 MR. COOPER: I haven't run the numbers on  
9 that, but that's what I'm going to put in my new memo  
10 about how much is -- how much of the shortfall will get  
11 cut back.

12 MR. BERMAN: Because if you look -- if you  
13 look at the total projected costs for Presidio staff from  
14 the beginning and project that out, you come out with a  
15 number of about twenty -- twenty to 25 million, which is  
16 the product of the shortfall.

17 So, you know, I think that's one thing that  
18 could be -- maybe you can't get everyone on to it. Maybe  
19 your salary will still have to come out of -- out of the  
20 Army money.

21 MR. COOPER: No reason.

22 MR. BERMAN: But I agree. I think there's  
23 no reason that should have been done in the first place --

24 MR. COOPER: Mm-hmm.

25 MR. BERMAN: -- but I think that the

1 pressure is on the CFO and on Middleton because these are  
2 policy decisions that were made initially that now are  
3 detrimental.

4 MR. COOPER: Right.

5 MR. BERMAN: And so to speak, I consider  
6 this -- and I hope we can talk about it in our meetings,  
7 but I would like to try to get everyone to insist that  
8 this is an absolutely major item that we have to deal  
9 with.

10 MR. COOPER: Before you get -- yeah. I'm  
11 going to take a second stab, and as Doug said, one of my  
12 action items and it is I'm going to do this analysis  
13 memorandum analysis with the CFO, we're going to distill  
14 the recommendations, and what I said at the meeting today  
15 is those recommendations will get shared with everybody on  
16 the RAB.

17 So be tuned for specific recommendation on  
18 that particular issue, and whether it's going to be three  
19 people in FY '06 or what, you'll at least see how internal  
20 in the trust we recommend, and if you guys don't like what  
21 we recommend on that particular issue, you can comment on  
22 that one.

23 But I can guarantee you there will be a  
24 recommendation on that issue. If it's going to be  
25 aggressive enough for you all's liking, you can comment at

1 that time.

2 FACILITATOR KERN: John.

3 MR. BUDROE: I would surmise what would,  
4 and Craig, you do not have to answer this, but when the  
5 trust really first got started from the Army, they had a  
6 pretty major cash flow from things coming in from property  
7 rentals and stuff, a hundred million dollars, and there's  
8 a big pot of gold and we can pay that remediation. That's  
9 not a problem.

10 MR. COOPER: Right.

11 MR. BUDROE: Now, George Lucas for better  
12 or worse is providing some of that sample.

13 MR. COOPER: Mm-hmm.

14 MR. BUDROE: And whereas the outflow of the  
15 actual remediation projects has increased hugely, so,  
16 yeah, I would -- this would probably be a real good time  
17 to revisit that, and the numbers are going to be a whole  
18 lot more in your favor this time around, so --

19 MR. COOPER: Right.

20 FACILITATOR KERN: Mark or Jan, any other  
21 ideas?

22 MR. COOPER: I've got a little minor  
23 recommendation. You said that you're going to enlist RAB  
24 people to come up with specific questions on the -- you  
25 know, the data sets that I put together.

1           In fact, what I'd like even -- I welcome  
2   that, but I had even before I start, you know, generating  
3   this data and I sit down with the CFO is that I'd almost  
4   like a set of questions in advance, as well, and of course  
5   in particular, if you're looking to -- if you were tasked  
6   with my job of putting together this, you know, analysis,  
7   what specific contents -- what would the table of contents  
8   of this memo look like and what would some of the specific  
9   analyses that you would do knowing -- because I've got the  
10   same -- pretty much, you've got the same data set that I'm  
11   working off of right now.

12           We know that we want to improve our data set  
13   in the future. We can talk about that if you want. You  
14   know that the data set that I'm working off of right now  
15   is my quarterly financial reports that I send you all.

16           How would you manipulate that data and take  
17   a look at it and slice it and dice it?

18           So I've got some ideas. I'm going to get  
19   some more ideas from the CFO, you know, and we'll start  
20   working on it, but if you guys want to get your ideas and  
21   e-mail them into me, we can start to incorporate them in  
22   early on instead of just wait on getting comments on a  
23   draft report.

24           MR. BERMAN: I think crucial in that,  
25   Craig -- excuse me for interrupting. I think you were

1 finished.

2 MR. COOPER: I'm done, yeah.

3 MR. BERMAN: It seems to me very crucial in  
4 that is for us to get as soon as possible the actual total  
5 cost of those sites that are completed and closed out.

6 I -- I think because that's really the  
7 number that counts, and we don't have any of that at the  
8 present time, and I think that would be very useful in --  
9 you know, in looking at that and seeing what that looks  
10 like so that we can ask some questions that are based on  
11 some -- something that's realistic.

12 MR. COOPER: Yeah. You have -- you know,  
13 you can pull out my quarterly -- my report number two,  
14 look at landfill 4, look at fillsite 5. Those sites are  
15 pretty much done.

16 We're still in the three-year groundwater  
17 monitoring, but those -- all those invoices have been paid  
18 and registered and tracked against those projects, and  
19 look at that as of June 30th, 2005, and the only costs  
20 that we're burning on landfills 4 and fillsite 5 now is  
21 some groundwater monitoring costs.

22 So --

23 MR. BERMAN: Would you say that those are  
24 sort of certified final costs?

25 MR. COOPER: Yeah, mm-hmm.

1 MR. BERMAN: Okay.

2 MR. COOPER: Yeah. Again, they're curving  
3 a little bit, but burn rate is way down on this now, and  
4 there's Baker Beach 3 and Baker Beach 4 have pretty much  
5 gone through the -- the construction completion report is  
6 done.

7 We're doing some groundwater monitoring at  
8 Baker Beach 3. We've talked about that in the past. When  
9 we get through that in the pipeline, we'll use that data  
10 as the basis of our analysis, and that's what I plan on  
11 using.

12 Just for some information, Alan has done  
13 some preliminary slicing and dicing. I just did some  
14 rough cuts for the projects that have made it all the way  
15 through like that.

16 What percentage of the money went to  
17 planning. What percentage of the money actually went to  
18 physical in the field cleanup work and what percent is  
19 allocated for post construction, you know, monitoring and  
20 stuff like that.

21 And I'm going to throw some percentages out,  
22 but I need -- I have not double-checked his work or  
23 anything like that, but roughly it's thirty percent of all  
24 of our -- of these costs that have made it through  
25 pipeline so far went to planning.



1           Fifty percent for construction, cleanup work  
2 and twenty percent, which seemed a little high to me, but  
3 for post construction work, but what we -- I mean, just --  
4 and, you know, I'm going to double-check those numbers.

5           That's definitely going to be one of the  
6 analyses that I'm going to put in, but I'll show you my  
7 data, but even if those are close plus or minus five  
8 percent or whatever, it shows that a remediation program,  
9 there's a significant chunk that goes to, you know,  
10 planning documents and a significant chunk that goes to  
11 post work that basically half the money, you know, at this  
12 point, and I'm going to double-check that, you know,  
13 actually get -- gets actually spent for cleanup.

14           MR. DIES:   Two quick thoughts.  When you're  
15 doing that, could you break out the past posting of trust  
16 salaries?

17           MR. COOPER:   Mm-hmm.

18           MR. DIES:   I think they were both somewhere  
19 in planning and somewhere in remediation depending on the  
20 stage you go.

21           MR. COOPER:   Correct, yeah.

22           MR. DIES:   I'm interested as you verify  
23 that breakdown where the trust salaries.

24           MR. COOPER:   Are most of our salary money  
25 going to planning --

1 MR. DIES: Was ten percent trust salaries,  
2 twenty percent external consultants.

3 MR. COOPER: Sure. Okay.

4 MR. DIES: That's one thought.

5 The other thought is if you win the  
6 intellectual battle about transferring people in the  
7 future --

8 MR. COOPER: Mm-hmm.

9 MR. DIES: -- I'll throw it out there. Is  
10 there any way to get back any of the money charged against  
11 the hundred million in the past?

12 Again, I completely agree with Dave.  
13 There's no -- nothing carved in stone that trust salaries  
14 have to be charged against the hundred million.

15 MR. COOPER: Right.

16 MR. DIES: It was executive decision.

17 MR. COOPER: Made back in 1999.

18 MR. DIES: For convenience or whatever. It  
19 could be reversed, and if so, can anything be undone in  
20 past years?

21 MR. COOPER: Okay.

22 MR. DIES: You're being aggressive with a  
23 new plan of three per year going forward. I'm more  
24 aggressive. Let's look at the past.

25 MR. COOPER: Yeah. I never thought of

1 that.

2 MR. DIES: Well, you're supposed to speak  
3 with your CFO.

4 MR. COOPER: That would mean -- yeah. Let  
5 me put some thought to that before I start thinking out  
6 loud.

7 MR. DIES: I'd be happy to e-mail Doug more  
8 questions like these.

9 MR. COOPER: Please do.

10 MR. DIES: But those do occur to me  
11 immediately. Again, this is government accounting. Well,  
12 it is or it isn't. It's not use it or lose it type stuff.

13 MR. COOPER: Correct.

14 MR. DIES: This is accounting versus the  
15 hundred million on a lifetime basis, and there is no  
16 reason that prior years cannot be corrected in my mind.

17 MR. COOPER: And replaced with other.

18 MR. DIES: Well, I mean, as -- as Dave  
19 politely pointed out, the only rules of the road here are  
20 set down by Zurich and you're disagreeing with their  
21 rules. Somebody's disagreeing with their rules.  
22 Therefore, we're in no man's land.

23 MR. COOPER: Mm-hmm.

24 MR. BUDROE: The only problem with that is  
25 the prospect for hearing damage.

1 MR. DIES: Sorry, Sam. I'm agreeing with  
2 you.

3 MR. BERMAN: Okay.

4 MR. BUDROE: When you start screaming so  
5 loud to go to get that money back that everybody's ear  
6 drums burst. That would be the one thing with trying to  
7 do that, but hey, if you can do it, go for it.

8 MR. COOPER: Yeah, you know, as you know,  
9 the money that we spent in the past years, George, on  
10 admin costs, those are never really reported to Zurich  
11 because we know from the beginning those were allowable  
12 costs.

13 I've never put those costs into an official  
14 report to Zurich because those were unallowable costs.

15 So Zurich only -- I only report allowable,  
16 what I think are allowable costs to Zurich.

17 So as far as Zurich knows, I don't know if  
18 the Zurich guy. I don't care if the Zurich guy's in the  
19 room or not. Whether they know or not, that's what you're  
20 thinking.

21 MR. DIES: That's what I'm thinking.

22 MR. COOPER: I've never reported those  
23 admin costs to Zurich.

24 MR. DIES: And again, I haven't seen the  
25 text of that part of the policy. I understand they have

1 rules on what you can submit, but versus the Army, there  
2 are no rules.

3 MR. COOPER: I just report a lot of rules.

4 MR. BOGGS: When push comes to shove, in  
5 order to collect on the policy, you will have had to spend  
6 those salaries, anyway.

7 MR. COOPER: Right. Exactly.

8 MR. BOGGS: So that money will get spent by  
9 the trust if you ever get to the point of trying to make  
10 the claim in the policy.

11 MS. BLUM: Well, it would be very exciting  
12 to have the legal team scan these costs for every little  
13 penny, as well in lieu of the contract to be sure that  
14 we're squeezing the lemon as hard as we can.

15 MR. COOPER: Mm-hmm.

16 MS. BLUM: Because it does come down to --  
17 somebody's got to pay, and I'm sure the trust doesn't  
18 really want to put all of that money out-of-pocket before  
19 the override kicks in.

20 MR. COOPER: Right.

21 FACILITATOR KERN: So we'll begin to pass  
22 around the e-mail this sort of series of potential  
23 questions to examine the database.

24 Many of them we've been asking them, anyway.  
25 It's not going to take us very long to think of what those

1 are going to be.

2 So I -- yes, Jan.

3 MS. MONAGHAN: I was just going to just say  
4 there were three things that I heard in the three minutes  
5 of our meeting that I thought were interesting and they  
6 all came out of Craig Middleton's mouth.

7 That is, we talk about a hundred million  
8 dollars. The first thing he said was he's counting 118  
9 million dollars. Because he's counting the interest.  
10 That's a different perception that he had.

11 The second thing is he said let's cut cost.  
12 It had nothing to do with remediation. It had nothing to  
13 do with the program. He was looking for ways to cut the  
14 cost. Hoping that we were going to find alternative  
15 courses for of course income, all of those things are way  
16 down his list.

17 Speeding up the program, because he thinks  
18 the longer the program runs, the more expensive it's going  
19 to be.

20 That's one of the things that I was going to  
21 look at is the cost of the program over time, because one  
22 of the things that we had kicked around is if we really  
23 used that interest income, maybe things will get pushed  
24 out instead of doing some things faster because the  
25 money's working for us.

1           Anyway, those were the three things that I  
2   thought were really interesting for him to say.

3           FACILITATOR KERN:   So in order to  
4   understand that, we'd want to compare projects that were  
5   completed early in the program and look at unit rates and  
6   look at trends of those rates, and I know we have one very  
7   early in building 637, there was excavation component, and  
8   that whole project is done and that could be easily  
9   compared to the most recent and we could look at all in  
10   between.   So that's a great idea.

11           MR. BOGGS:   One of the things that that  
12   does in the most economic way would be get all of the  
13   investigation and all of this work done by next week and  
14   not start a single remediation project for eight years or  
15   so.   Just let the money collect interest while nothing is  
16   being spent for eight years, collect the interest and --

17           MR. BERMAN:   You have to trade off  
18   against -- you could only make money on that if you fired  
19   all the staff because the eight years you'd have to -- so  
20   the question is is the interest covering the staff costs  
21   and it doesn't look like it.

22           MR. BOGGS:   That's why I said the work  
23   would essentially stop at that time for five years.

24           MR. BERMAN:   And dismiss all the staff at  
25   the same time.

1 MR. BOGGS: It's not a very realistic  
2 model, but that would be the most economic way to make use  
3 of that hundred million dollars, to handle all the staff  
4 stuff immediately and then --

5 MR. BERMAN: Right. You could have said  
6 taken the hundred million dollars in the beginning and  
7 bought some shares of Google and --

8 FACILITATOR KERN: And it wouldn't matter  
9 then.

10 All right. So I guess as a closing comment  
11 on this particular subject, while this has taken many  
12 months, in fact a couple of years now, has occasionally  
13 been painful with perhaps some blood on the floor, I think  
14 we're making progress and that -- that in our cooperative,  
15 collaborative fashion, we are being heard and we're going  
16 to be part of the solution.

17 So I want to commend the group for  
18 continuing to have input and I think we're ahead of the  
19 problem. We still got seventy percent of the funds left  
20 to spend, so we still have time to make this thing happen.

21 All right. So any other comments on that  
22 subject? Are there any other announcements or comments  
23 for the evening?

24 Seeing none, I want to thank again our ten-  
25 year folks and their contribution, and without objection,



1 meeting adjourned.

2 (The meeting concluded at 9:16 PM).

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1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )

3  
4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the time  
6 and place therein stated; that the foregoing is a full,  
7 true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the foregoing  
10 meeting and caption named, or in any way interested in the  
11 outcome of the cause named in said action.

12  
13 IN WITNESS WHEREOF, I have  
14 hereunto set my hand this  
15 \_\_\_\_\_ day of \_\_\_\_\_,  
16 2006.

17 \_\_\_\_\_  
18 Mark I. Brickman CSR No. 5527  
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